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Soldier 'was denied a fair hearing'

Euro ruling condemns courts martial

By MICHAEL EVANS, DEFENCE CORRESPONDENT

THE British courts martial system is to go on trial in Europe in a case that could leave the Ministry of Defence facing dozens of compensation claims and a bill for millions of pounds.

In an unprecedented ruling yesterday, the European Commission of Human Rights unanimously agreed that a traumatised Falklands veteran who held colleagues hostage at gunpoint had been denied a fair hearing at the court martial that ended his Army career.

Referring the case of Alec Findlay to the European Court of Human Rights, the commission said there had been a violation of the convention that guarantees "a fair and public hearing before an independent and impartial tribunal".

The ruling is seen as a vital step in a campaign to get the court martial system abolished and the ministry intends to defend its procedures vigorously when the case comes to court next year.

John Mackenzie, a London solicitor acting for Mr Findlay, described the commission's decision as "sensationally important". He said there were between twenty and thirty similar cases pending from all three Armed Services and the ministry faced the prospect of having to pay out millions of pounds in compensation.

Mr Findlay, 34, was demoted from lance-sergeant to guardsman and dismissed from the Army in 1991 after he held fellow members of his Scots Guards unit at gunpoint, threatening to kill himself and some of them. Two Army psychiatrists had confirmed that he had suffered a nervous breakdown, but in spite of pleas for "moderate" treatment, he was jailed for two years.

His appeal against sentence was rejected, but he later received £100,000 plus costs when he brought a civil action against the Defence Secretary alleging negligence in failing to diagnose and treat the post-traumatic stress disorder that



Findlay: held soldiers hostage at gunpoint

had resulted from the battle of Tumbledown in 1982.

Mr Findlay - who admitted seven charges, most of them civilian - complained that the court martial lacked independence and impartiality, that the proceedings were unfair, the decisions unreasonable and the sentencing options limited. The court consisted of a president and four other members, all of whom served in units commanded by the officer responsible for setting up the hearing.

In its ruling yesterday, the commission said that psychiatric reports indicated that Mr Findlay had been suffering from post-traumatic stress disorder dating back to his time in the Falklands, when he had seen a friend shot in the neck and had himself been injured.

The incident that led to the court martial happened during a tour of duty in Northern Ireland in 1990. A fellow member of the 2nd Battalion Scots Guards opened a can of beer and the noise reminded Mr Findlay of a bullet whizzing past his head. He pulled out a pistol and put it to another guardsman's head before taking two others hostage and firing two shots. He was disarmed and nobody was injured.

Last night Mr Findlay, who came from Kilmarnock but now works as a painter and decorator in Windsor, said of the commission's ruling: "This is fantastic news. I feel very disillusioned by the way I was

treated. I don't want the whole court martial system changed, but there are definitely flaws which need to be addressed."

His solicitor, however, said the case signalled the end of the system. "The generals and the admirals will not like it, but the civil servants and the politicians will have to tell them that it has to go," Mr Mackenzie said.

"It is the end of the system. Anything they try to do will be only cosmetic. The civilian courts will be able to deal with cases, while internal tribunals could deal with military disciplinary matters."

Richard Lane, a former Royal Navy commander who is also awaiting a decision by the human rights commission, said: "Alec Findlay's is the first case, but there are many more of us waiting for a similar ruling."

Army sources admitted last night that there was considerable concern that Mr Findlay's case would be examined by the European court, but the MoD said it would fight "all the way" to keep the court martial system, which has existed in its present form since 1955.

The ministry is already taking steps to reform the procedures: civilian judge advocates are being given more powers and convening officers are to be appointed from outside the defendant's regiment. The changes will be part of the Armed Forces Bill which is to be reviewed next year.

"We believe the court martial system has served the Forces and the country very well indeed," a spokeswoman said. "The key point about any changes is that they must meet the Armed Forces need for a firm and fair system of discipline."

The ministry acknowledged differences between the Service and civilian systems, but said they took account of the special needs of Service life. It also pointed out that all recruits accepted that they would be dealt with, if necessary, by court martial procedure set out by Parliament.



The Princess leaves her therapist's London home yesterday

Princess opts out of Sandringham party

By ALAN HAMILTON

THE Princess of Wales, in anticipation of severe frost over Norfolk, has changed her mind and decided not to attend the Royal Family's traditional Christmas gathering at Sandringham.

Relations between the Princess and the Royal Family have become deeply soured since the *Panorama* interview last month in which the Princess confessed to adultery and branded certain members of the royal household "the enemy".

Royal sources said yesterday that the decision to stay away had been made entirely by the Princess, and there was no question of dissuasion by a disapproving monarch, who greatly valued her annual family reunions despite the behaviour of some members.

In a telephone call to the Queen last week, the Princess said she would not now be accepting the Sandringham

invitation. Buckingham Palace, which only three weeks ago announced that the Princess would be present, was obliged to eat its words.

"This change is made at the Princess's own request and after discussion with the Queen," the palace said yesterday. The Princess had made alternative private plans for Christmas, although she had expressed her gratitude for the invitation.

Prince William and Prince Harry will now spend Christmas at Sandringham with the Prince of Wales. It will be the first time since the couple's separation three years ago that the Princess has not made even a token appearance of family solidarity.

Her original plan was to arrive with her sons on Christmas Eve, attend church on Christmas morning, and then leave to prepare for a private holiday in Vail, Colorado.

Shocked team of inspectors walks out of Holloway

By STEWART TENDLER AND GEOFF KING

THE new Chief Inspector of Prisons withdrew his team from Holloway women's prison before finishing their work because they were so appalled by conditions, it was disclosed last night.

The inspectors went into the north London prison at the start of last week, the first unannounced inspection made by General Sir David Ramsbotham since he took the post. They were withdrawn after four days, two days ahead of schedule, after detailing a catalogue of complaints.

A statement from the inspectorate said: "The interim findings of the inspection showed standards so unacceptably low that the prison inspectors were being withdrawn." It added: "Our early findings identified such shortfalls in the treatment of the prisoners and conditions at Holloway that the proper course was for us to seek immediate improvements."

Holloway, which is the main female prison in England and Wales, can hold up to 517 prisoners. There are about 500 there at the moment and last year the average number of inmates was 480.

Sir David's decision to withdraw his team, coming less than a month after he took over from Judge Tummim, a thorny critic of the Home Office and the Prison Service, is an early indication that he intends to establish a reputation for independence.

A report by the prison's Board of Visitors in 1994 criticised Holloway for its poor staffing levels, overcrowded cells and having a number of disturbed inmates.

Ann Widdowcombe, the prison's minister, told *Channel Four News*: "It is indeed a sorry state of affairs. It is one

we had ourselves picked up on before the inspection with the result that in October we put in an extra £300,000 of resources." She added: "We would expect it to take a little while for the extra funds to feed through. I do feel that we had already recognised that something was wrong and were putting in measures to combat it."

"What we have seen is a situation which we are not prepared to tolerate. We will now put in right. Holloway has major problems and we are not going to be able to get it right overnight."

Holloway has been condemned in the past for its handling of mentally ill women. At the same time it has also won praise for running regimes for resettling women in the community with day release work projects.

Sir David, 61, came to the job after a military career which he ended as Adjutant-General in the Army.

When he took over from Judge Tummim at the beginning of this month, he said: "Obviously I shall have to find my own style, which will be different because we are different."

Last night the Prison Service said senior managers had been working with the governor and a team at Holloway "to resolve the areas of operational concern."

An extra £326,000 pounds was added to the p budget in October. New trained staff will join in January.

The statement said Alan Walker, the operational director for the South of England, has given the Director General of the Prison Service "a personal assurance the action planned was achieved in the shortest possible time."



Zyuganov: likely to be Communist challenger

Election winners set sights on Yeltsin

FROM RICHARD BEESTON IN MOSCOW

WHILE the last votes in Russia's parliamentary elections were still being counted yesterday, a new campaign was under way to challenge President Yeltsin next year.

As counting continued to show a strong lead for the Communist Party, its leader Gennadi Zyuganov signalled that he would begin his attempt to replace Mr Yeltsin as soon as the new Duma, the lower house of parliament, opened in the new year.

"The Government has received a vote of no confidence. This is a complete rejection of the old radical system [of reform]. The system has collapsed and become bankrupt," Mr Zyuganov said.

He is expected to be chosen as the official presidential candidate for the scheduled June polls by the Communists at a meeting next month.

Vladimir Zhirinovskiy, the ultra-nationalist leader, will also be encouraged to run for President. Although his Liberal Democratic Party saw its support halved compared with the 1993 elections, it still came second and now dominates the nationalist camp.

Reformists afloat, page 10
Political chameleon, page 16

Lottery regulator ignored advice over free trips

By ARTHUR LEATHLEY, JON ASHWORTH AND JOANNA BALE

PETER DAVIS, the National Lottery Regulator, was plunged into fresh controversy last night when Virginia Bottomley revealed he had ignored government advice not to accept free flights or accommodation during an American visit.

The National Heritage Secretary said that Mr Davis had

retary disclosed that government officials advised Mr Davis against accepting hospitality weeks before he took the free flights from a company behind the lottery and stayed with one of its directors. Last year's flights were in a private jet and helicopter owned by GTEch, an American partner of the Camelot consortium.

Mrs Bottomley said officials advised Mr Davis in August 1994 "to ensure that all due propriety was observed and that the cost of flights and accommodation should be borne by Oflot [the Office of the National Lottery] and not their hosts".

A department spokesman emphasised last night that the advice "covered generalities but not specific details of flights. Mr Davis has explained that he took the flights to save time and taxpayers' money. He was entitled to make that decision."

Mrs Bottomley's disclosure, in a Commons written reply, came less than an hour after she refused to be rushed into a decision on Mr Davis's future as regulator, despite pressure from Labour MPs that he should be dismissed.

After Mr Davis was questioned for two hours by Hayden Phillips, the National Heritage Department's Permanent Secretary, Mrs Bottomley told MPs it would be "unfair" to make an immediate decision. "I need to consider the issues raised carefully. I don't intend to take precipitate action. It would be inappropriate and unfair to say more on this matter today."

She insisted an independent report had decided Mr Davis's work in awarding the lottery contract to Camelot last year was "comprehensive, consistent"

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They've all gone cuckoo in the nest of democracy. Or not

SIX hybrid creatures limped, lolloped or flapped into the Commons circus ring yesterday afternoon to perform in an exotic freak show called *The Prime Minister's Statement on the Madrid European Council*.

First into the ring was something called the Partial Emu. This sadly disabled bird, seemingly wingless, was partnered by something more remarkable yet: the Push-me-pull-you Prime Minister, a creature apparently unable to say "yes" without adding "or

no" and incapable of saying "whether" without the suffix "or not".

Not to be outdone in the mutant stakes, we were next introduced (by the Tories' Sir Terence Higgins MP) to a bird called the Caw Currency — or was it the Cori Currency? It was believed that this might fly in 1999, and would be christened "the euro". It was important to understand that the euro (also known as the Caw Currency) was *not* the same thing as the Single Currency, which did not exist.

Sir Terence was afraid that if the euro did fly, the Non-Caw Currencies might try to raid its nest.

Just when you thought nature had displayed its strangest, in bowled the Hard Ecu, an animal which could proceed only by "circulating in parallel" with the franc, the pound and the mark, but separately from them. Hard on the heels of the Hard Ecu came the Possible Referendum, a fabled beast of uncertain attributes, which the Push-me-pull-you Prime Min-



MATTHEW PARRIS
POLITICAL SKETCH

ister sometimes claimed to see, and sometimes not.

It was believed that the Possible Referendum was designed to proceed ahead of the Partial Emu and possibly in tandem with the Hard Ecu (which itself, you remember, circulates in parallel with the franc, pound and mark). Such gymnastics were by way of

cheerleading for the arrival of the Partial Emu, the Caw Currency and the euro, which, you remember, are probably the same thing (but not the same as the Single Currency, which, you remember, is not in prospect).

It promises to be quite a floorshow.

Weirdest of all, and the last

to make its entrance yesterday, was the Rubber-spined Labour Leader. With apparent ease this bird had managed to get its head right through the gap between its legs, from which unlikely position it hopped imperceptibly around, making sure its own position was never very far from the Push-me-pull-you Prime Minister's, and issuing a series of mocking calls to the Push-me-pull-you, demanding that it state where it stood and where it was going. The Push-me-pull-you's attempts to answer

these squawks were cruelly hampered by its inability to say anything at all without adding "or not".

The circus baffled all spectators. Prize for the most arcane commentary from the stalls yesterday goes to Labour's Andrew Faulds (Warley, E), who diagnosed "plasticity of European purpose" on the Continent, but failed to note the plasticity of purpose on his own front bench, eight feet away.

The prize for opaque prose goes to the Push-me-pull-you

Prime Minister, who, having pronounced the word "whether" felt impelled to add "or not" then, continuing "we recognise our right to opt in or opt out". The final "whether or not" we recognise our right to opt in or opt out will challenge political science for decades to come. Or not.

The prize for being comprehensible goes, as usual, to Dennis Skinner, who said: "It's a barny name, turn. This was the only contribution anyone understood."

Major strengthens hope of referendum on single currency

By Philip Webster, Political Editor

JOHN MAJOR gave his firmest indication yesterday that the Conservatives will go into the next election committed to staging a referendum on Britain's membership of a single European currency.

On the eve of another cliff-hanger Commons vote on Europe, he disclosed that ministers were considering the possibility of a national poll, raising speculation that a decision might come before the election manifesto is drawn up.

In a carefully prepared answer to the former foreign secretary Douglas Hurd, Mr Major said that "for a decision of such magnitude, we shall certainly keep in mind the possibility of a referendum".

He added: "That has been in my mind for a long time. It remains there, and I think it is right to keep that before us for consideration."

Mr Major's gradual shift towards a referendum was welcomed by many Tory MPs, including some Euro-enthusiasts as well as the sceptics. He made the pledge in a Commons statement on the Madrid summit, and promised to continue taking a "hard-headed approach" at the centre of European policy making.

But the Euro-sceptics were voicing renewed misgivings last night over the Prime Minister's explicit determination to keep open the option of joining a single currency.

They were pleased by his assurance that he would not allow sterling to go back into an old-style exchange rate mechanism outside the single currency, if a number of countries went ahead.

But they were nervous when Mr Major declined to agree with the contention of Peter Shore, the veteran Labour anti-marketeer, that Britain would not be able to join a single currency on January 1 1999 because it would not have conformed to the necessary qualifying rule of rejoining the ERM two years before the decision was made.

But in words regarded as highly significant by some MPs and advisers, Mr Major said that that rule no longer applied because as constituted at the time the Maastricht treaty was signed, no one would be able to join the single currency, he said.

In the Commons Bill Cash, MP for Stafford, told Mr Major that Britain had "sold the pass" at Madrid because it did not disagree with the rest in their determination to go ahead with political union. Mr Cash urged: "We must soon, in a White Paper or by some other means, ensure that we no longer go down the route of political union. Mr Major denied that any pass had been sold.

Mr Major has suggested

that a referendum would be held after a Cabinet decision to go into a single currency, implying that all members of the Cabinet would then be expected to go out and campaign for the decision.

This would contrast with the position in 1975 when Harold Wilson allowed individual ministers to disagree openly during the referendum campaign with the majority position to recommend continuing British membership of the EU. However, it is understood that ministers have yet to address the question of collective responsibility in the event of a referendum campaign. Tony Blair has already made plain that a Labour Cabinet would be expected to abide by the majority position.

A referendum pledge would upset some Tories. Sir Edward Heath said yesterday: "The Conservative Party in its history has never supported a referendum — never."

Mr Blair said other EU leaders had reaffirmed the timetable for monetary union over Mr Major's head, and asked: "Why has he been so utterly powerless in this situation? Whatever happened to those great new alliances we kept reading he had built?"

Fishing vote and Peter Riddell, page 8
Leading article and Letters, page 17



Peter Davis outside the Department of National Heritage yesterday

Lottery man ignored advice

Continued from page 1

cent, logical and properly controlled" but added she needed to consider "subsequent matters" — relating to the free flights — very carefully.

Tory MPs who had expected an announcement yesterday put pressure on Mrs Bottomley to make a decision before the Commons rises tomorrow. "Mr Davis can't be left swinging in the wind over Christmas," said Michael Shersby, who called for the regulator to stay on.

Labour accused Mrs Bottomley of "dithering", having been sent an account last Friday of Mr Davis's visit to America and a separate visit to Australia this year. Jack Cunningham, Labour's Shadow

National Heritage Secretary, said: "Will you not accept that any failure on your part to take decisive action will damage public confidence not only in the regulator but in the National Lottery itself?"

Although Mr Davis was not obliged to follow the advice of government officials, MPs seized last night on Mrs Bottomley's admission that he did not disclose that he had ignored it until this month. Alan Williams, the Labour MP who demanded details of the advice, said: "The Government has created a monster [Olot] that it can't control."

Mr Davis said before meeting Mr Phillips: "I have no reason to resign." He emerged two hours later and said: "I

have this morning had a full discussion with senior officials at the Department of National Heritage about the draft report which I submitted to them on Friday. They are now considering the matter and I am going back to work."

Officials said Mr Phillips had not asked for Mr Davis's resignation. Lord Nolan's committee on standards in public life is expected to launch an inquiry into the role of industry regulators. Nigel Williamson writes. Peter Shore, a Labour MP on the ten-member committee, said insufficient thought had been given to who regulated the regulators.

Libby Purves, page 16

DPP studies remarks before Brixton riot

A police report on allegations that speakers made inflammatory remarks at a protest meeting before the Brixton riots last week is to be studied by the lawyers for the Director of Public Prosecutions.

Senior Scotland Yard sources say detectives are investigating not only the comments by Rudi Narayan, the disbarred black barrister, but also the remarks of all other speakers at the meeting organised by the Black Caucus last Wednesday. During the protest Mr Narayan told the crowd: "The Brixton police are killers and they will not understand what they have done until one of them has been killed. The police are using public money and public equipment to kill black people. If a policeman is killed because he is behaving badly I will not rest."

Killer father had debts

A debt-laden father took his own life and unlawfully killed his four young children, a coroner ruled yesterday. Phillip Mitchell, 36, a divorcé, killed himself and Jonathan, 9, Cadwyn, 7, and twins Jessica and Christopher, 6, all of Rudheath, Cheshire, in a fume-filled car, an inquest in Crewe, Cheshire, was told. Police disclosed afterwards that Mr Mitchell had debts of more than £20,000 and had just received a demand to pay the Child Support Agency £2,800.

Robbery shuts Oxford St

Thousands of Christmas shoppers were cleared from a section of Oxford Street yesterday as armed police sealed off a bank after raiders attacked security guards delivering money for cashpoint machines. Police thought that the two robbers could still be inside but after a search with police dogs they released five men locked in the vaults of the National Westminster building. The robbers, armed with handguns, are believed to have escaped with up to £100,000.

IRA escapers bailed

The IRA terrorists wanted for extradition to Britain after escaping from Brixton prison in 1991 were freed on bail by the High Court in Dublin. Nessan Quilivain and Pearse McAuley have lodged an appeal against extradition on conspiracy charges, which could take 18 months. Both must report daily at a police station. Their lawyers said they had honoured parole conditions while serving sentences in the Irish Republic.

Ordtec man in custody

Paul Grecian, right, the businessman acquitted of supplying arms to Iraq, was remanded in custody by a court in South Africa. Mr Grecian, 40, whose firm Ordtec supplied parts for an Iraqi "supergun" while he kept British intelligence informed, is wanted in the United States for supplying arms to Iraq. He was arrested on Friday when he arrived in South Africa for a holiday.



Dog barks led to killing

A man killed his neighbour with a crowbar in a row over a barking dog. Winchester Crown Court was told. Nicholas Farnell, 32, a roofer, attacked 56-year-old Willy Pottage and his wife Christine after they went out leaving their puppy barking in the garden of their home in Waterlooville, Hampshire. Mr Farnell, who denies murder but admits manslaughter, hit Mr Pottage, fracturing his skull. The trial continues today.

Rail franchise sale to proceed despite ruling

By Jonathan Prynn, Transport Correspondent

THE Transport Secretary told MPs yesterday that the sale of British Rail passenger franchises would go ahead, despite a court decision last week that the terms of five of the franchises were unlawful.

Opponents of rail privatisation accused Sir George Young of side-stepping the court ruling by refusing to start the auction of franchises from scratch. Instead, he has adjusted the terms so that the sales meet the terms of the judgment.

It seems certain that at least two and possibly three franchises will be sold this week. A further four are due to be sold in the spring.

However, a further legal challenge is being considered after Sir George refused to force private train operators to provide levels of train service that at least match the current British Rail timetable.

The Court of Appeal ruled on Friday that five of the first seven franchises on offer to private operators were unlawful because Roger Salmon, the franchising director, had not followed ministerial guidance on the minimum standards of service.

Yesterday, Sir George announced the Government would respond by rewriting its guidance to require Mr

Salmon to favour bidders who promised to offer enhanced levels of service.

However, there will be no redrafting of the legal minimum service requirements as demanded by Save Our Railways (SOR), the lobby group that brought the legal case. "This is giving the Franchise Director a charter to cut services," Jonathan Bray, Secretary of SOR, said.

Emphasising that he intended to go beyond the requirements of the Court of Appeal ruling, Sir George said: "I shall instruct Mr Salmon, when considering the award of future franchises, to take account of bidders' contractual commitments to, and future plans for, providing services over and above the PSR."

"I have therefore decided to clarify the instructions and guidance to Mr Salmon to ensure that franchisees should have flexibility to adjust commercial services while ensuring through the franchise agreement that a core service level is protected."

Hugh Bayley, the Labour MP for York, who was involved in the court cases against Mr Salmon, said Sir George had "changed the rules to make train cuts legal by private operators. He is inviting legal challenge."

Royal Train buyer in tax fraud inquiry

THE sale of the British Rail company that runs the Royal Train ran into fresh criticism yesterday when it emerged that one of the buyers is being investigated by the New Zealand Government for alleged tax evasion (Jonathan Prynn writes).

Fay Richwhite, a New Zealand merchant bank, took a one third stake in Rail Express Systems (RES), which is also responsible for Royal Mail trains, when it was sold by the Government this month. Its partner in the acquisition was Wisconsin

Central Transportation, one of the leading bidders for BR freight companies.

The loss-making private bank is at the centre of a high-level inquiry into an alleged tax fraud which was ordered in the summer by James Bolger, the New Zealand Prime Minister.

The investigation, headed by a former Chief Justice, is examining claims of massive tax evasion in the Cook Islands in the 1980s by several New Zealand firms including Fay Richwhite. The bank has denied any wrongdoing.

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Animal lover swaps love life for wildlife after affair turns sour



Booth: would rather live with gorillas

THE love affair between a leading wildlife artist and a whale researcher, who came together through their love of animals, ended in a violent fight and a prosecution in court yesterday.

Janine Booth was so badly injured that she needed stitches and plastic surgery to repair the damage done to her nose. South East Northumberland magistrates were told.

But Rod Sutterby, the artist, was cleared of assault causing actual bodily harm after he told the court that he was acting in self-defence.

The couple met during a whale-watching expedition in Scotland. Later Mr Sutterby, 31, asked Miss Booth if she would do research for some pictures he wished to paint and their relationship was cemented

during a trip to Somerset. They began an affair earlier this year after he separated from his wife and moved out of the family home. But after a few months Mr Sutterby began to have second thoughts and postponed his divorce.

Miss Booth, 34, eventually agreed to move out of their shared home in Druridge Bay, Northumberland, after weeks of rows. She hired a van to move her possessions to her home city of Sheffield, but as she left they had a heated row about the bedding.

Mr Sutterby was accused of kicking Miss Booth in the face, tearing her nostril and blacking an eye. Although he admitted inflicting injuries on her, he claimed they were in self-defence and denied kicking her. He told the court: "I had to stop

her, she is a fit young woman and far stronger than me. I am 51 years old and I am not strong. It wasn't her who was beaten to the floor, it was me.

"She was raining blows on my head and I couldn't take it any longer. She was obviously upset about leaving because I meant a lot to her and she meant a lot to me." He had stayed in bed for the next two days after returning home and could not work for a week.

Miss Booth told the court that she slapped Mr Sutterby in the face when he began shouting about the bedding. She said she feared he was going to try to strangle her.

Recalling the night of the incident on July 25 this year, she said: "He was getting unreasonably angry and

started shouting and shouting. I couldn't work out what the problem was. I asked him what the matter was. He was going red in the face so I slapped him to calm him down. He jumped up and started hitting me around the head so hard that I was hurt across the room.

"He said: 'That is it, you have had it now'. He threw me to the floor and started hitting me around the head. I was seeing stars and then he kicked me in the face. I heard a popping noise and blood started spurting onto the floor and the carpet. I was covered in the stuff."

Mr Sutterby is now reconciled with his wife Iris and is living back at the family home, a converted farmhouse near Hexham, Northumberland. Miss Booth, who has

travelled extensively for wildlife research, is soon to go to central Africa to work with orphaned gorillas. She has worked for the International Fund for Wildlife, the Sealife Surveys Organisation and as a guide on whale-watching expeditions. She said after the case: "I fell for him because he seemed so charming and gentle. But now I know what he is like and I would rather live in a house with six gorillas than with him."

Mr Sutterby is one of a small band of artists who have been producing highly detailed, "biologically correct" water-colours of fish and other wildlife for 30 years. His work has been featured in the Natural History Museum in London.



Sutterby: cleared of assault charge

Teenager found in undergrowth only 150 yards from family home

Girl is murdered on walk back from pantomime

By Gillian Bowditch, Scotland Correspondent

A 16-YEAR-OLD girl who went missing on her way home from a family outing to the pantomime *Sleeping Beauty* on Saturday night has been found murdered.

The body of Mhairi Julian was found on Sunday afternoon in undergrowth at a busy bus depot 150 yards from her home in the Ayrshire town of Kilmarnock. Strathclyde Police questioned Christmas shoppers and neighbours of the dead girl's family yesterday in Kilmarnock.

Mhairi, a schoolfriend and the friend's mother had gone to the 7pm performance of *Sleeping Beauty* at the Palace Theatre in the town on Saturday. The show finished at 9.20pm, earlier than Mhairi had expected. Friends said she had arranged for her father to collect her by car but he telephoned home to say she would walk the short distance to the house.

She did not arrive and her anxious parents, Maureen and Philip Julian, contacted police and reported her missing that night. A big police hunt was launched and her body was discovered at 3pm

on Sunday at the Stagecoach bus depot. Police say she was last seen on London Road, Kilmarnock, on Saturday night at 9.45pm. They are asking anyone who saw her after that time to come forward in an attempt to piece together her final hours.

A police officer said that Mr and Mrs Julian were distraught at their daughter's death and were too upset to talk. They were being comforted by relatives. Pupils at Kilmarnock Academy, where Mhairi was a pupil, were shocked by the news of her death. Frank Donnelly, the headmaster, said: "The whole school is utterly devastated."

Friends of the victim said she was a quiet girl who never said a bad word about anyone. She was studying for her Higher examinations and had ambitions to be a nurse. Yesterday Jane Holland, 37, who accompanied her daughter and Mhairi to the pantomime, said she could not help blaming herself for what had happened.

"I couldn't even begin to put into words what I feel for the person who has done this. My

daughter is distraught. The two girls were very close." Mrs Holland, 37, said the first she knew that something was wrong was when Mrs Julian telephoned her at about midnight to say her daughter had not arrived home. Mrs Holland and Julie Ann, her daughter, spent Sunday searching the town centre for Mhairi.

Miss Julian's family were being looked after by a doctor yesterday. Her mother and her sister Claire, 21, were said to be deeply upset by her death. Her father, who works for a motoring magazine, was in a state of shock.

Yesterday friends and neighbours paid tribute to a quiet, likeable schoolgirl. Fellow pupils were huddled in tearful groups at Kilmarnock Academy. A classmate said: "The whole school is appalled. Mhairi had everything going for her."

Mr Donnelly, the school's head teacher, said: "Mhairi was a popular pupil who had spent all her secondary years with us." One neighbour, who did not want to be named, said: "The whole area is very shocked.



Mhairi Julian telephoned her family to say she did not need a lift

We just can't believe that this has happened to a vibrant young girl. The entire family are all very nice."

No buses were allowed in or out of the Stagecoach depot where Miss Julian's body was found. The depot was cordoned off and a meticulous search was being carried out

as buses were examined for possible clues.

Bruce Gilmore of the Palace Theatre said that about 500 people attended the pantomime on Saturday night which had finished on time at 9.20pm. "Everyone here is extremely sad about it. The company felt dreadful this

morning. It was a very difficult performance for them."

Mr Gilmore said the next evening performance would be tomorrow. "We are mainly performing during the day to allow school parties to come and see us." He expected parents would be vigilant when leaving children.

Judge in Ashby libel case sets damages limit

By Michael Horsnell

THE jury hearing the libel action brought by David Ashby, MP, was told by the judge yesterday that damages of less than £50,000 would be awarded if they found for the Conservative member for Leicestershire North West, but more than £120,000 would be extravagant.

Mr Justice Morland exercised new powers under guidelines laid down by the Court of Appeal last week when he indicated to the jury the level of award he deemed appropriate. That would be if the jury concluded that *The Sunday Times* had failed to justify an article about him alleging he was homosexual, and if the jury thought the paper had aggravated the damage done.

The jury will resume its deliberations at the High Court today. It failed to reach a verdict after four hours last night. The judge said that the court could accept a verdict on which at least ten jury members were agreed.

Mr Justice Morland began his summing-up by saying: "You have been witnessing a family really exposing its misery in the full glare of publicity. You've heard the details of verbal abuse, physical abuse between husband and wife — both claim to still love each other very much although they have given evidence on

opposite sides. You saw and heard their daughter give evidence for her father and, in effect, give evidence against her mother, whom she loves."

The judge said the jury had to decide whether *The Sunday Times* had established that the article was true in substance and fact. If the newspaper failed to prove that, the jury had to decide what injury recoverable in damages had Mr Ashby established he had suffered as a result of publication.

Mr Ashby, 55, is claiming damages over an article in January 1994 that he shared a double bed with a male friend during a holiday in Goa at the end of 1993.

He says it alleged that he was a homosexual who had misled his estranged wife, Silvana, about the nature of his sexuality; that he had lied to the public about having an affair with Dr Ciaran Kilduff in France; and that he was a hypocrite in having emphasised the importance of the family in his last election address.

Times Newspapers Ltd and Andrew Neil, the former Editor of *The Sunday Times*, deny libel although they accept Mr Ashby did not holiday with a man in Goa. They assert that he was and is having an affair with Dr Kilduff, a 32-year-old Irishman.

McCartney burgled on surgery day

By Richard Duce

BURGLARS ransacked the London home of Paul McCartney while his wife was undergoing an operation for breast cancer, police said yesterday. The thieves broke in through the back door of the £2 million house in St John's Wood last Tuesday evening, but little is thought to have been stolen.

At the time, Linda McCartney was having an operation at the Princess Grace Hospital in London for a malignant lump to be removed. The operation is said to have been a success.

McCartney, 54, said yesterday: "This house has been broken into many times during the past 30 years, as this part of London is a favourite area for burglars. We are improving security. Obviously the incident doesn't help at a time like this."

The raiders are believed to have caused thousands of pounds of damage. Televisions and tables were overturned and personal belongings strewn across the floors. However, only a camera and a number of compact discs were taken. McCartney uses the London mansion when working in London but his family spend most of their time on their farm near Rye, East Sussex. No one was at the house at the time of the burglary.

Body and Mind, page 14

Jealous husband fitted fireworks to rival's car

By Paul Wilkinson

A MAN drove his car for three weeks not knowing a jealous husband had planted a petrol bomb under it, a court was told. The fuse had failed to ignite properly and the device was not discovered until the vehicle went in for a routine service. Mechanics fled the garage and Army bomb disposal experts were called in.

Yesterday the husband, Robert Graham, 44, appeared at Manchester Crown Court, where he denied making an explosive substance with intent to endanger life in November last year. He said it was just a hoax.

The court was told that Mr Graham believed his wife Lorraine had resumed an affair with John Hall, a family friend, even though they had assured him it was over.

Graham had discovered the four-month affair in May 1994 when he caught them embracing during a barbecue at the Hall family's home in Royton, near Oldham. Alan Conrad, for the prosecution, said: "He uttered a threat saying that if he saw him again he would kill him."

Even though the affair then cooled, Mr Graham was recording incoming calls at his home and discovered Mr Hall had been ringing his wife, the court was told. He went to Mr Hall's home to confront him.

Mr Conrad said: "Graham had the tape in his hand and he was angry, saying to Mr Hall, 'You can't leave it alone.' Mr Hall tried to placate him, saying there was nothing going on. Things then appeared amicable."

Four days later the car bomb was discovered when Mr Hall, who runs a building firm, took his Mercedes into a garage in Manchester. Mr Conrad said: "There could have been at least a very serious explosion. It would have damaged and possibly destroyed the Mercedes and would have harmed anyone in the car or anyone in the proximity. The mechanics were shocked."

Mr Graham, a television engineer, made the bomb from three fireworks and a container of petrol, fixing it with a magnet to the fuel pump of Mr Hall's Mercedes. When police searched Mr Graham's home in Royton they found fireworks of the same make and petrol of a similar type.

He allegedly told detectives: "I planted the device about three weeks ago when Mr Hall was at a gym. I thought it would have dropped off by now. I didn't mean to hurt him. I only meant to frighten him."

The trial continues.

Irate driver 'waved gun at golfers'

By A Staff Reporter

A MOTORIST whose car was damaged by four golfers after an altercation at a Home Counties course later threatened them with an imitation firearm, an Old Bailey jury was told yesterday.

Imran Hashmi, 24, stopped to remonstrate with the players after a ball narrowly missed the Renault 5 he was driving. As the argument developed the four began hitting him and his vehicle with their clubs, the court was told.

Mr Hashmi crashed into a tree as he made his escape. David Hewitt, for the prosecution, said that Mr Hashmi then went to his sister's house near by. The men followed and again attacked the car.

As they returned to Camberley Heath Golf Club in Surrey, a neighbour reported seeing Mr Hashmi come out of the house with an English bull terrier on a lead. He followed the men down the road and, when they were about 30ft away, produced an imitation Colt pistol. "He brandished the weapon at the men, threatening to shoot them," Mr Hewitt said.

Police were called and Mr Hashmi denied he had a gun. However, the weapon was later found at the side of the house, Mr Hewitt said. Mr Hashmi, of Hounslow, west London, denies possessing an imitation firearm and ammunition.

The trial continues today.

Mensa chief accused of cashing in



Gale: launched his own magazine

A CHIEF executive of Mensa made money for his own private company by playing on the organisation's name, an industrial tribunal was told yesterday.

Harold Gale was said to have attracted subscribers to his magazine *Mind Games* by sending information about the publication to people who applied for Mensa membership, and sold "logic puzzles" to three national newspapers who thought they had been devised by Mensa.

After allegations of gross misconduct, he was subse-

quently sacked from his £60,000-a-year post as chief executive of British Mensa Ltd, following an investigation led by Sir Clive Sinclair, chairman of the British Mensa Committee.

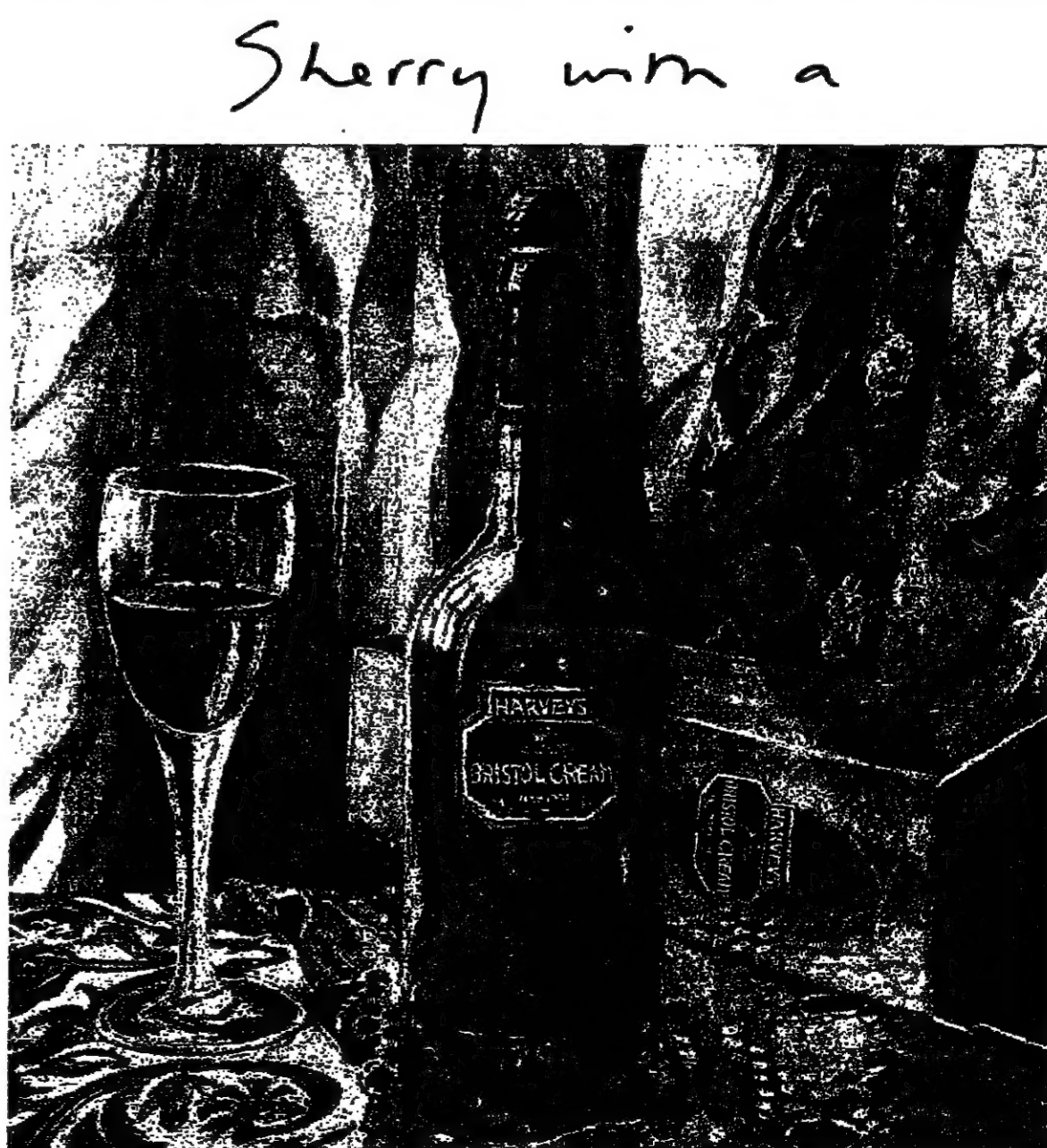
Mr Gale, from Lilleshall, Shropshire, is claiming unfair dismissal. At the tribunal in Birmingham, Alistair Small, representing Mensa, said: "Mr Gale had total authority and because of that complete trust was placed in him."

The committee thought *Mind Games* was produced in Mr Gale's own time. "He

had exercised his undoubted entrepreneurial skills to promote the interests of his own company, not Mensa. He also used Mensa employees and their time to work on behalf of his company while ensuring Mensa met his overheads. He passed off the work of his own company as being Mensa's."

Mr Gale was employed by Mensa for 19 years until his dismissal last March. During that period, membership had grown from 1,300 to around 40,000.

The hearing continues.



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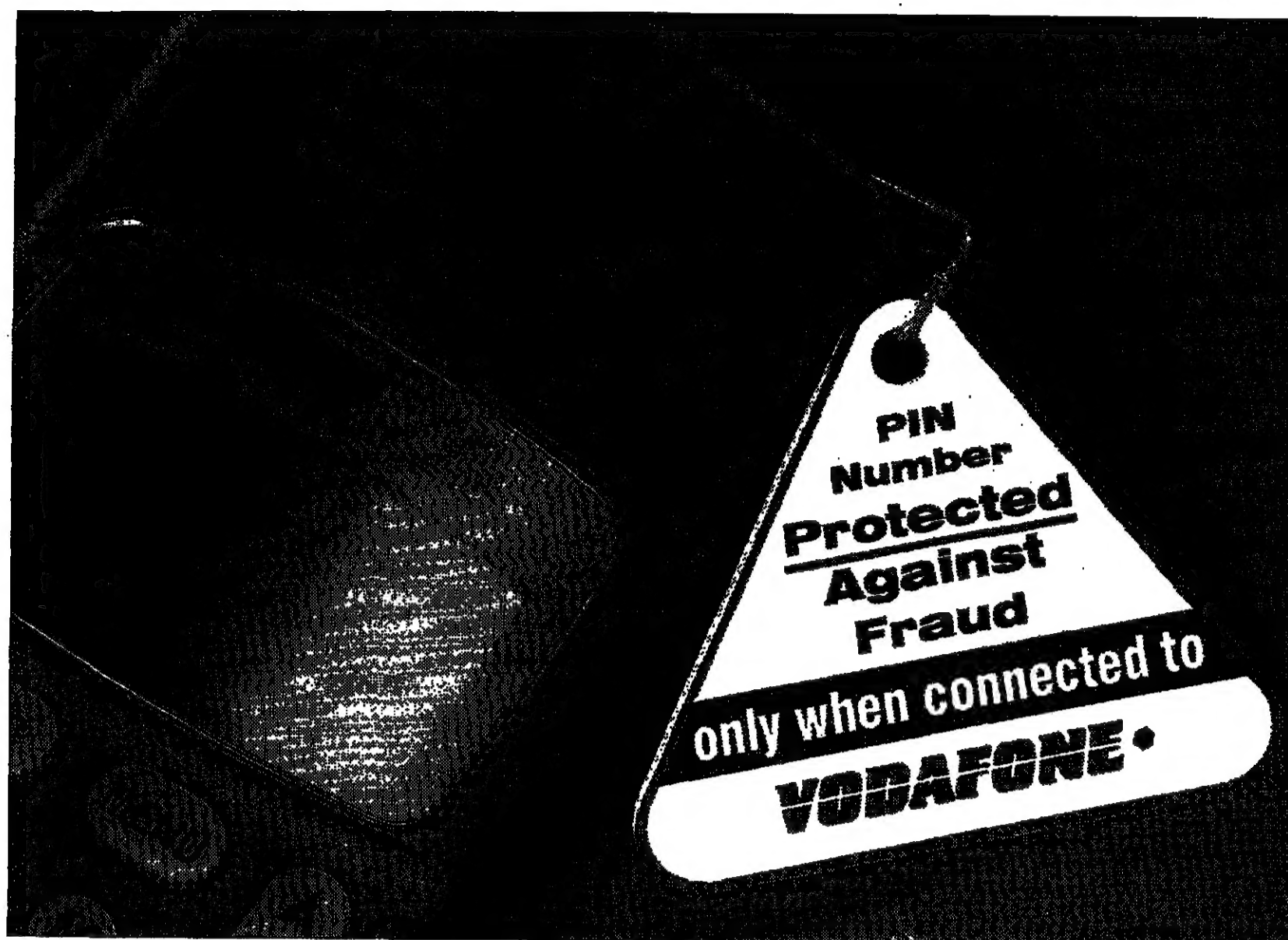
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'Jenny spent her spare time helping others. She was a lovely girl'

Meningitis kills Oxford student home for holiday

By JEREMY LAURANCE
HEALTH CORRESPONDENT

A PRIZE-WINNING languages student at Oxford University has died of meningitis after returning home to spend Christmas with her family.

Jenny Cullen, 19, was in her second year at St Anne's College, and in her spare time helped with the university's confidential Nightline counselling service. Her parents and teenage sisters were distraught last night and academic staff paid tribute to a "brilliant girl loved by all".

Doctors believe she had contracted the swift-acting illness since returning home to Humberston at the end of term a fortnight ago. Fears that fellow students at her 450-strong college could be at risk have been ruled out.

Miss Cullen was studying French and Spanish, gaining a distinction in her first-year examinations. Ruth Deech, principal of St Anne's, said: "Not only was she academically very bright but she always spent her spare time helping others. Jenny was a lovely, attractive girl who was loved by all. This is an unbearable tragedy for both her family and this college."

The student achieved the best A-level results of 1993 at Longcroft School in Beverley, with A grades in Spanish, French, English and geography, and a B in general studies. Her parents have two other daughters, Suzie, 15, and Louise, 13.

Her former headmistress, Lesley Hughes, said: "Jenny was a beautiful and talented person who swept the board with her A-level results. She was an exceptionally gifted linguist. She was very special, beautiful but very modest. Pupils and teachers are desperately sad."

"She worked very hard to help others because she cared deeply for other people. She was keen to join in everything and lend a hand. She had a brilliant future ahead of her."

Official figures for this year up to December 2 show 1,151 cases of meningococcal disease in England and Wales. Over the same period in the previous five years, the figure has fluctuated between 1,397 cases in 1990 and 1,057 in 1994.

There were 136 deaths up to November 18. The entire year's total was 148 in 1994, and 173 in 1993. Most deaths occur in winter. A spokeswoman for the Public Health Laboratory Service, which monitors the disease, said the number in November was up on previous years. "The peak month is normally January. It may be that the season has started earlier this year," she said.

She was a very special person and the world is a lesser place without her."

A couple whose seven-week-old baby died from meningitis last Friday are believed to be suffering from the illness. Both parents are being treated in Newcastle General Hospital. Doctors believe the baby may have caught the infection from its parents. A hospital spokeswoman said: "There has been an improvement in the condition of both parents, and both remain in hospital where they are receiving treatment." One parent tested positive for meningitis and the other will find out today.

A two-year-old girl has been taken ill with the infection for the second time. Aleisha Dean is being treated in Pontefract General Infirmary, West Yorkshire, where she was taken last week suffering from meningococcal septicaemia.

The girl recovered from an attack of meningitis a week after she was born, but was left with slight brain damage.

She was physically fit and had just started in a nursery class at Fieldhead Hospital School in Wakefield when she was struck down with a differ-

ent strain of the bacterium. Jill Gomersall, her grandmother, said: "Aleisha is a fighter. She is not three until April but she has nearly died twice. We're just praying she is home for Christmas."

A spokeswoman for the hospital said: "It is unusual for the same victim to suffer such a brain bug twice, but Aleisha is doing very well."

The bacteria that cause the most severe form of meningitis can be spread only by direct personal contact — for example, by kissing, sharing a glass or a cigarette or, among young children, sharing a lollipop. The bacteria are not airborne in the accepted sense and cannot survive outside the body. Only in extreme cases can they be spread by coughing and sneezing.

One in ten of the population carries the bacteria that cause meningitis in the back of their nose and throat, but are naturally immune.

The bacteria cause inflammation of the meninges, the membrane surrounding the brain and spinal cord. Most deaths are caused by a complication of meningitis called meningococcal septicaemia, in which the infection is spread throughout the body by the bloodstream, causing a sharp drop in blood pressure and multiple organ failure.

Early treatment with large doses of antibiotics given direct into a vein can save lives but in some cases the disease strikes so fast and is so overwhelming that no treatment is effective.

Symptoms of meningitis are fever, severe headache, nausea and vomiting, dislike of light and a stiff neck. This is followed by drowsiness and in some cases loss of consciousness. In about half of cases there is also a blotchy red rash. Symptoms of meningococcal septicaemia are fever with vomiting, rash, cold hands and feet, rapid breathing and pains in the stomach, muscles and joints.

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Jenny Cullen gained a distinction in her first-year examinations at Oxford

Hindley letter condemned as publicity stunt

By RICHARD FORD, HOME CORRESPONDENT

MYRA HINDLEY, the Moors murderer, is facing disciplinary action for allegedly breaking prison rules by sending a 5,000-word letter about her crimes to a national newspaper.

It also emerged yesterday that Hindley's mail is not routinely read because she is a Category B rather than a Category A prisoner. A category A inmate is one whose escape would be "dangerous to the public, police or the security of the State".

Prison staff have also begun an inquiry into whether a third party was involved in smuggling the letter out of Durham jail and sending it to The Guardian. The 12-page letter, sent by recorded delivery, in which Hindley takes "full responsibility" for her part in the killings was condemned as a publicity stunt and a forerunner to an application for parole.

Hindley, 53, who is in the hospital wing of Durham prison, was told last year that she would never be released. She is understood to have made representations to the Home Office about the decision and is due to have a parole board review of her case within the next few weeks. The next review after that will not be carried out until 2005.

In her letter, Hindley admitted that she was "corrupt, wicked and evil" at the time of the Moors murders 30 years ago. But in writing to The Guardian about the case, Prison Service officials believe Hindley may have broken prison rules which forbid inmates from sending out articles for publications that relate to their offences.

However, the rules are open to interpretation. They say that prisoners cannot correspond about their offences "unless it is a serious contribution to debate about crime and offending".

If Hindley were to be disciplined by the governor of the jail, she could argue that the article was a serious contribution to argument about criminality and offending behaviour. The governor at Durham could discipline Hindley, jailed in 1966 for her

part in the Moors murders, by docking money from her £2.50p a week wages, stopping her visiting the prison shop or stopping her watching television. As she is serving life, it would be pointless to add extra time to her sentence.

Michael Howard was urged by one backbench Conservative MP to consider curbing prisoners' access to the media. Roger Gale, chairman of the Conservative media committee, said: "I am becoming increasingly concerned at the manner in which convicted criminals are given access to a media desperate for salacious stories to assist them in their circulation war."

"What has been published is a 5,000-word publicity stunt on behalf of a murderer, some of whose victims — the families of those she killed — will, of course, never be released from their suffering."

Peter Topping, a detective involved in the Moors murders inquiry, said he believed the letter was part of a build-up to a parole application. He told Sky News: "Behind the letter is a plea for public sympathy. She has one aim, and that is to obtain parole, and there will be. In this letter, a build up to that sort of application."

Hindley and Ian Brady, her lover, were jailed for killing Lesley Ann Downey, 10, and Edward Evans, 17. Brady was also convicted of murdering John Kilbride, 12. They later admitted killing Pauline Reade, 16, and 12-year-old Keith Bennett.

Nigel Lawson, page 15



Hindley: her letters are not routinely read

Man hit in gang attack improves

By RICHARD FORD
HOME CORRESPONDENT

A MAN who was critically injured in an incident involving a gang of youths was said yesterday to be recovering by the hour.

Paul Brighton, a father of two, underwent emergency surgery at Addenbrooke's Hospital, Cambridge, to relieve pressure on his brain.

The hospital said Mr Brighton, 44, from Orton Waterville, near Peterborough, had improved slightly overnight and was in a satisfactory condition.

His wife Sue said: "Paul is doing far better than we could have hoped for at this time and is improving every hour."

Mr Brighton was injured on Saturday evening when he went out of his house after a beer can was thrown through a bathroom window.

Carl West, 19, of Peterborough, was remanded in custody for three weeks yesterday when he appeared at the city's magistrates' court charged with the attempted murder of Mr Brighton.

Four other male teenagers have been charged with public order offences in connection with events leading up to the incident. They were given police bail and will appear in court on February 6.

PC denies raping schoolgirl in back of police car

By A STAFF REPORTER

A GIRL, aged 15, told a jury yesterday that she was raped in the back seat of a police car by a PC who found her collapsed in the street after she sniffed butane gas.

PC Adam Grice-Roberts, 32, admits having unlawful sexual intercourse with the girl, who lived at a children's home in North Wales but had been visiting her family in Blackpool for the Easter weekend. He denies rape.

The girl, who denied telling the officer that she was 17, was giving evidence by video link from a room inside Preston Crown Court. She claimed that Grice-Roberts, of Hutton, near Preston, had first indecently assaulted her and then raped her after taking her to Blackpool Central police station.

The girl had not complained until nearly 12 hours later, when she rang the children's helpline ChildLine. "I was shocked," she told the court. "I didn't think a policeman would do this sort of thing. I didn't think anyone would believe me."

Roger Farley, QC, for the defence, suggested that when Grice-Roberts had found the

girl in an alley, she had told him that she sniffed gas because "it makes me warm and want to have sex", and that she had touched him provocatively on the way into the police station. The girl denied this. She also denied that once they were in the car together she had invited the policeman to have sex.

She admitted that, because of the effects of the gas she was sniffing, she had not told Grice-Roberts to stop while they were having intercourse. "I tried to get out of the way. I didn't want it to happen," said the girl, who broke down in tears twice during cross-examination by Mr Farley. "I didn't want this policeman on top of me. But I thought 'I am high, let it happen'."

Guy Goss, for the prosecution, said: "The girl did not consent. She was insensible from sniffing gas. She was in no condition to decide whether to consent or not."

The girl is said to have told police: "I was really out of it. At the time I didn't even know what was going on. I knew he was having sex but I was high."

The trial continues today.

Judge D. Griffiths

A report (October 6) "Attacker 'should have sent bouquet'", based on material accepted in good faith from a news agency, suggested that the judge at Winchester Crown Court, Judge David Griffiths, had embarrassed the victim of an indecent assault by calling her into court and insensitively suggesting she accept flowers and compensation for what she had suffered.

In fact, to spare the woman embarrassment, the judge asked for her to be privately interviewed outside the court. On her subsequent attendance at court, at her request, the judge said that the woman had tried to have the charge withdrawn, and that he believed that the defendant's offence was wholly out of character. It was then that the judge, when making a £500 compensation order in the woman's favour, said to the defendant, who had no previous conviction, "had you made an apology and sent her a bunch of flowers, all this would have been forgiven."

We apologise for the embarrassment caused to Judge Griffiths by the publication of our incorrect report, and to Judge David Griffiths, the resident judge at Maidstone Crown Court, who was in no way involved in the case.

Buried hamster survives big sleep

By A STAFF REPORTER



Abbie Holley with Bowleaze, who was buried alive

A HIBERNATING hamster was recovering at home yesterday after being buried for 2½ hours because his owners thought he was dead.

Six-year-old Abbie Holley thought Bowleaze had frozen to death when he was found stiff and motionless in his cage in the garden shed. Abbie's mother Linda, 41, had put Bowleaze into the shed during the recent cold snap because of his "slight pong".

When the family thought he was dead he was laid to rest beneath a laburnum tree under two feet of earth at the bottom of the garden. Abbie's father Rodney, 38, then discovered that hamsters go into hibernation when the temperature drops.

The family hurriedly dug Bowleaze up and took him into the house in Bishop's Lydeard, Somerset, where he soon showed signs of life.

Mrs Holley said: "It's a warning to other owners to make sure their hamster isn't just hibernating if it appears dead."

David Steele, an RSPCA chief inspector, said a hamster may hibernate if the temperature drops below 16C (61F). "Many people may be unaware of it because they keep their pets indoors in a nice warm atmosphere."

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Breakthrough backs ministers' claims

Tests show 'species barrier' may save humans from BSE

By MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

EXPERIMENTS with genetically engineered mice have yielded the first positive evidence that humans will not catch "mad cow" disease from eating the beef of infected cattle.

Researchers say their work suggests that BSE (bovine spongiform encephalopathy) will have great difficulty in jumping the species barrier between cows and human beings.

The findings, the first hard support for ministers' assertions that beef is safe, will come as a huge relief to the beleaguered livestock industry, which has seen beef sales fall by about 15 per cent over the past fortnight.

The fears about BSE centre on the possibility of the agent that causes it triggering off a similar brain affliction, Creutzfeldt-Jakob Disease, in humans. The Government has always insisted there is no evidence that BSE is a threat to humans. But as a precautionary measure it has banned certain types of offal, such as the brain and spinal cord, which are most likely to contain the BSE agent, from human consumption.

The research, to be published in the science magazine *Nature* on Thursday, has been carried out by John Collinge, a leading neurologist, and a team of colleagues at St Mary's Hospital Medical School in Paddington, west London.

Professor Collinge, one of four additional experts appointed to the Government's advisory committee on BSE last week, described the research results as reassuring so far but cautioned that they were "certainly not a definitive answer as regards a risk to humans".

He added: "It must be appreciated that even the presence of a highly effective species barrier between cows and humans does not exclude the possibility that a few cases of BSE transmission to humans might still occur."

given the very large numbers of people that have been exposed."

Professor Collinge said he was still worried by the recent teenage cases of Creutzfeldt-Jakob Disease (CJD). It was extremely unusual for CJD, a rare condition that affects fewer than one in a million people, to occur in anyone under the age of 20. BSE could not yet be ruled out as a possible explanation.

The experiments at St Mary's involve the use of mice implanted with the human genes that produce a type of protein known as a prion. The protein occurs naturally in humans and other animals in a version peculiar to each host species.

The infectious agent which causes CJD, BSE and other spongiform encephalopathies is thought to be a rogue form of the prion that converts the normal protein into more of the rogue form in a chain reaction that eventually destroys the brain.

Scientists injected infected tissue from CJD victims directly into the brain of some of the mice. The animals developed spongiform encephalopathy within 200 days, indicating that the CJD agent had interacted with the human-type protein in the mice.

That was not surprising as

it is known that CJD can pass from human to human, albeit in unusual circumstances. This was tragically shown in the group of young people who developed CJD after being injected by surgeons with growth hormone taken unwittingly from the cadavers of other CJD victims.

Another group of mice were inoculated with BSE tissue from the brains of infected cows. So far — 270 days after injection — these mice still show no sign of illness. They will continue to be monitored until they either succumb to the disease or die of old age in about 18 months.

Colin Blakemore, Waynflete Professor of Physiology at Oxford University, who caused a stir two weeks ago by disclosing that he had stopped eating beef because of BSE, called the findings encouraging. But he said he would not be going back to beef just yet.

The National Farmers' Union welcomed the results. Stephen Rossides, head of livestock, said: "These are preliminary results but they go some way to confirming that the species barrier is very effective, as we always believed."

Some 1,000 schools have removed beef from their lunch menus amid mounting public concern and repeated assurances from Douglas Hogg, the Minister of Agriculture, and Kenneth Calman, the Chief Medical Officer, that BSE poses no danger. Mr Hogg was also forced to tighten regulations at abattoirs after inspectors found that spinal cord, one of the tissues known to be capable of carrying BSE, was not always fully removed from carcasses prepared for human consumption.

If BSE has passed to humans, epidemiologists would expect in time to see an increase in CJD deaths. The number of CJD cases did rise in 1994 to 55, up from 42 in 1993, and slightly above the previous peak of 51 in 1992, but that was probably due to more diligent reporting.



Blakemore encouraged by research findings



Lesley Edwards talking through problems with a teenage cancer patient

Wise words can spur a child to fight cancer

By JOHN YOUNG

EVERY month of the year the parents of about a hundred children in Britain are told that their child has cancer. Their first reaction is invariably severe shock, accompanied by grief and sometimes despair. Counselling has become an overworked term today but in such cases it is pre-eminently necessary.

At the Royal Marsden Hospital in Sutton, south London, the main task of counselling and advising the children and their parents, once the doctors have broken the bad news, falls to Lesley Edwards. Aged 31, she took a degree in psychology at the London



School of Economics, did postgraduate training at the Institute of Psychiatry, and now works at the Royal Marsden as a child and adolescent clinical psychologist. "If children are old enough to understand the implications they, and even more likely the parents, are still in a state of shock. Even if it has subsided a bit, there is still the fear that cancer is a killer. For most people it is associated with pain and death. A typical reaction is that a relative died of cancer, so the child will die too."

"We all try to be as open and informative as possible, not to hide anything and to let the family know exactly what is going on. When we say family, we also have to take into account any siblings at home."

Many people still believe there is some stigma in being confronted by a "shrink", Ms Edwards concedes. "But for parents, having a child with cancer literally changes their whole lives."

In most cases they have to get used to living apart, with one residing in the hospital and the other at home. Spending all day and every day in the ward obviously leads to boredom, particularly if the child is having school lessons somewhere else. That is partly alleviated by friendships between parents, sometimes between most unlikely people, which frequently become deep and long lasting.

As for the children, they tend to feel different from others, Ms Edwards observes. Adolescents become irritated by what they see as the triviality of their contemporaries' concerns. If they have had bone marrow transplants and know that they are infertile, they may say: "What's the point of having a girlfriend or a boyfriend if I can't have children?"

As well as fear and depression, patients also have to contend with uncertainty, particularly at the end of a course

of treatment when it is still not clear whether it has been effective.

The most demanding part of Ms Edwards' work is helping incurable patients and their families come to terms with death and bereavement. "On the whole children react better than their parents," she says. "I think the death of a child is the worst thing one ever has to face."

Ms Edwards' work is supported by Dr Steve Warren, 37, a consultant child and adolescent psychiatrist who spends one day a week at the Royal Marsden Children's Cancer Unit.

One of his main tasks is to help to advise the unit's staff on the social and psychological issues facing the children in their care. Nurses, in particular, need to learn to recognise symptoms of distress such as disturbed behaviour, moodiness and depression. Many patients have difficulty in adjusting to the knowledge that they have cancer.

The shock that parents feel on learning that their child has cancer is often accompanied by anger and frustration. Dr Warren says. Why us, they ask. But their mood usually improves as they are given more information about treatment. "Some remain hopeless and apprehensive, expecting everything to go wrong. Others seem positively to accept the challenge, and are even galvanised by it. They turn their minds to what is best to do, and to the sacrifices which may be necessary."

The children's reactions vary greatly. The very young are not aware of what faces them, but teenagers, who are just getting used to a degree of independence, suddenly find they once again need parental care, Dr Warren says.

Some become taciturn, frustrated by the interruption to their school life and to examinations. Deprived of the all-important companionship of their contemporaries, they can become morose.

But not all. "Some children seem to become more assertive and independent. It is almost as if they are stimulated by the challenge and determined to win."

Body and Mind, page 14

Rival presses on to Pole as Briton returns

By STEPHEN FARRELL

A NORWEGIAN explorer pressed on with his attempt to walk to the South Pole yesterday as his team sent condolences to his British rival, who pulled out of the 1,700-mile trek with a broken sledge.

In an echo of Scott and Amundsen's 1911 race to the South Pole, Roger Mear, 45, and Borge Ousland were vying to complete the first unsupported solo crossing of Antarctica.

But Mr Mear abandoned his attempt on Saturday after equipment failure. He flew yesterday to Punta Arenas, in southern Chile, and told his back-up team in Britain: "When things go wrong Antarctica is one of the cruellest most unforgiving places on earth and it would have been foolhardy to go on."

As the Briton prepared to return home Mr Ousland trudged on, just 95 miles short of the Pole. He then faces an 875-mile journey back.

The Norwegian is unaware of Mr Mear's withdrawal. Both men carried only one-way beacons to pass on locations and emergency signals. The two teams have been posting their progress on the worldwide Internet, and Mr Ousland's Oslo back-up people told the world their man was still going strong.

"Borge had a good day today," said the Internet message for December 16, the day Mr Mear quit. "He increased his distance and skied about 27km (17 miles)."

"Speaking for the Borge Ousland expedition we are very sorry that Roger no more is part of the race. We know he has put down a tremendous work in his preparations and we feel for him. It must have been a hard decision to take."

Mr Mear was picked up by a Twin Otter aircraft after raising the alarm at midday on Saturday. He flew to Patriot Hills, and from there to Punta Arenas by Hercules. The British explorer said that design changes to the sledge runners aimed at pushing the equipment to its limits did not stand up to the "gruelling and challenging" conditions.

"Two weeks after I set off there were unforeseen serious problems with the tracking of the sledge," he said. "It would not follow me correctly and was pulling from side to side, which meant that I was continually expending an enormous amount of energy



Ousland: only 95 miles short of South Pole



Mear: would have been foolhardy to go on

correcting its course." The strain broke titanium poles and delays meant he would have run out of food before the expedition finished.

"I was in a vulnerable position in an area where winds reach 100mph. I knew that if my tent was destroyed I could not survive."

Mr Mear said he had been encouraged by the success of his other equipment, including the heat-saving tent and parawing kite that speeded his progress. The farthest he travelled in one day was 53 miles.

"My first thoughts when the rescue plane arrived were 'Thank God', because I knew weather conditions could worsen at any time, and then there might have been no way out." His wife Ghazala travelled to London from their Derbyshire home last night. He is expected to return to Britain on Thursday.

Tube buskers take fight to Europe

By FRANCES GIBB, LEGAL CORRESPONDENT

TWO buskers are turning to Europe this week in their fight for the right to perform on London Underground. Michael Kay, 51 — platform name Bongo Mike — and Jeremy Helm, 45, have spent more than a decade battling unsuccessfully in the British courts.

Busking on trains, subways and streets is banned under various bylaws. British Transport Police say there are about 2,000 busking offences reported each year but only about 10 per cent are prosecuted.

The pair's campaign, which has involved countless arrests, prosecutions and fines, led to the House of Lords this summer, where they were refused leave to bring an appeal to the highest court of the land.

London Underground maintains it has no power to grant licences to street musicians, and says that such a system would be difficult to police. The two buskers launched judicial review proceedings over this policy and in July 1989 the divisional court upheld London Underground's case.

The Court of Appeal backed that ruling in 1991 and then in July 1995 leave to appeal to the House of Lords was refused by the lords' appeals committee. The only route now is to take their case to Europe, alleging a breach of their right to freedom of expression under article 10 of the European

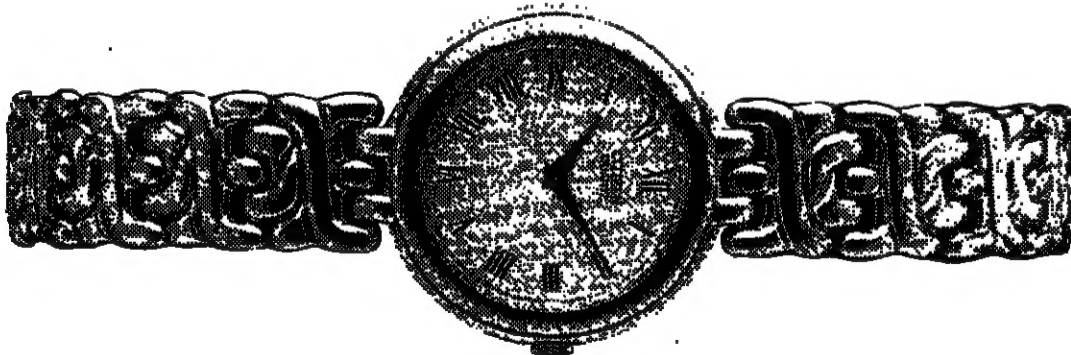
Convention on Human Rights. Each time they go to court the pair, who share a flat in Brixton and sing and play guitar, banjo and kazoo, have had to rely on legal aid. "On every occasion we have been refused although we have got it eventually," said Mr Kay. "So it's been a battle with the legal system as well as everything else."

The judges, he added, made clear their views. "Lord Justice Watkins said that Walkmans were bad enough on the trains but buskers were even worse. But we believe in the art of what we are doing — we believe our performances have artistic meaning, that they are a statement in society."

Busking on the Underground had been given a bad name, he conceded. "A lot of people do it very badly."

A spokesman for London Underground said that there were several reasons for opposing busking. "Everyone remembers the good buskers — but there are also the bad ones and the drunk ones. And we do get a number of complaints: people don't always like buskers, particularly on trains where they feel they are being preyed on and they can't get away."

Buskers were a safety hazard. "They tend to stand in the busiest places, such as the bottom of escalators, and the music can also drown out safety announcements."



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Compulsory clocking off scrapped

Burger King gives £106,000 to staff on unpaid breaks

By ADRIAN LEE

THE fast food chain Burger King has given £106,000 compensation to 900 workers who were told to take unpaid breaks when business was quiet.

The deal followed a campaign by Labour and unions that highlighted "exploitation" of young staff. One worker at a branch in Glasgow was paid £1 for a five-hour shift.

The workers, including some who have left Burger King, received back payment of £118 each on average. The campaign against low pay was started by Michael Griffiths, 17, a trainee teacher from Bishopbriggs, Glasgow.

Mr Griffiths, now 18, who received £98 backpay, said yesterday: "I am very pleased, not just for myself but for all the other workers at Burger King who couldn't speak out because they still work there. I am surprised the company paid up but it makes the stand I took worthwhile."

"They sent me a letter with the money saying they were glad I had brought the matter

to their attention. I bet they were! It is good that something has been done and, hopefully, it will stop other companies ripping off their workers in the same way."

Mr Griffiths thought he had been hired for £3.10 an hour but found that staff were asked to take unpaid breaks in a staff room when the restaurant was quiet. He wanted extra money to supplement his student grant but spent much of his time clocked off.

He said: "I was paying for their lack of business. Some days I would get less than £1 and I never got my full five hours' pay." Once he clocked on at 6.10pm only to be told to take an unpaid break because there was little business. He said: "I had to give up the job after three weeks because I wasn't making money."

Burger King, which has 350 branches nationwide, said it was not company policy to force employees to clock off when restaurants were not busy and blamed "misuse of scheduling" for the dispute.

Craig Bushey, the managing director of Burger King for Western Europe, said in a letter to Ian McCartney, a Labour employment spokesman: "I hope that the action taken by Burger King puts this issue to rest and demonstrates our commitment to equitable employment practices."

He said the total number of people receiving back pay included some workers who were due to work extra hours but chose to go home.

"Because it was not possible to identify those occasions where people stopped work on a voluntary basis, we decided to compensate all staff who worked less hours than they had been scheduled."

"Therefore the total number of people who received a payment is larger than those who were actually affected by misuse of rostering."

Mr McCartney welcomed the payout. He said: "Scrooge has backed down just in time for Christmas. It is a complete vindication of our campaign and the number of people involved shows the level of exploitation. I suspected the practice was widespread because of the numbers of letters I have received."

Burger King is owned by the Grand Metropolitan conglomerate, which made £654 million in pre-tax profits last year.

John Monks, the TUC General Secretary, who had condemned Burger King for using "virtual slave labour", said: "It shows that workers in large and small firms need the protection of a minimum wage." John Edmonds, general secretary of the GMB union, said: "We are delighted the company has opened its wallet to recompense workers. We will be watching like hawks to wipe out this practice from British workplaces."

Burger King would not say how many of its restaurants used the clocking-off procedure or whether any of its staff or franchise holders had been disciplined.



Staff at Castle Ashby stand ready to serve paying guests at £650 each. The Marquess "loves the fact that the house is being used"

Stately homes welcome festive intruders

By RACHEL KELLY, PROPERTY CORRESPONDENT

ONCE the Van Dycks had to be sold and the Bechstein grand piano in the battle to keep stately homes going. Now aristocrats are finding that having paying guests over the festive season makes better economic sense.

Welcoming strangers into their Christmas is the latest extension of a trend that began with conferences and paying house-parties. Often the unique marketing advantage is lashing of personal involvement from the homeowners themselves.

Sophie Lillingston, who runs a company which specialises in finding locations, said: "In the last couple of years, more and more private stately homes are taking guests, though this is still a rarity at Christmas. I think there is a real pride now among owners in making their houses work at a very professional level."

The 14th-century Duns Castle, near Berwick-on-Tweed, is the tutored seat of the Hay family and has 14 bedrooms for paying guests over Christ-

mas at £120 per person, which includes meals and drinks. Alexander Hay and his wife Aline will be hosting Christmas supper with their two children.

Mrs Hay said: "Having guests helps to keep the house warm and staffed. It also is nice for us to meet people who stay, and obviously it helps pay for the upkeep of the house."

Many of the paying guests were foreigners. Americans particularly enjoyed experiencing a slice of English aristocratic life. "The essence of the arrangement is that those visiting are in every respect treated as guests in a private home."

At Sudeley Castle, near Cheltenham, Gloucestershire, Lady Ashcombe is letting 14 cottages over Christmas, with prices ranging from £299 to £422. Only one is left to rent. And at Moyns Park, near Birdbrook, Essex, Lord and Lady Ivar Mounbatten, who entered the conference and meeting market 18 months ago, plan to open at Christ-



The Northampton: Christmas at second home

mas next year. Among the market leaders is the Marquess of Northampton, who offers a four-day Christmas house party at Castle Ashby, his principal 26-bedroom home near Wellingborough, Northampton, owned by his family since 1574. The stay is complete with carols sung by the boys of the All Saints

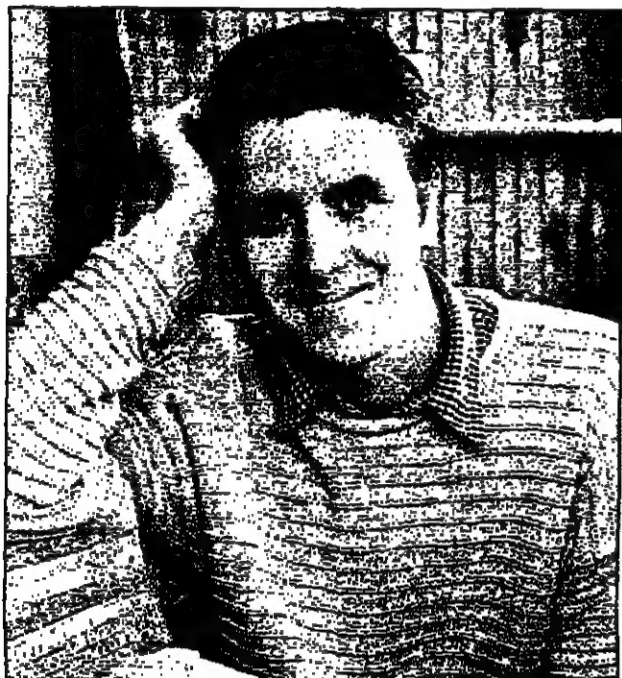
Church Choir from Northampton on Christmas Eve. The seventh Marquess and his wife will spend their own Christmas at their second country home, Compton Wynnyates in Warwickshire. Colin Sweeney, the deputy general manager of Castle Ashby said: "Is it sad? Yes and no. Of course the Marquess

has very fond memories of the house as a child, but he loves the fact that the house is used."

The brochure boasts "old-fashioned afternoon tea" in the private drawing room, a five-course dinner in the gallery Great Hall, midnight mass in the Castle's own candlelit Chapel. Father Christmas on a recently rediscovered sleigh, a traditional Christmas lunch in the Reynolds room, which overlooks parkland designed by Capability Brown, time to even snooze a little and parlour games "in typical English country house tradition".

The cost for 50 guests is £650 plus VAT per person. They are mostly British, with about 40 per cent from America and Europe. This year Roy Hatwell, who works in insurance, is making a return visit with his wife Mary and his 19-year-old daughter Sarah. He said: "It is a tremendously pleasant place. For a few days, you feel as if you actually live the country house life."

Leading article, page 17



Michael Griffiths was paid £1 for a five-hour shift

Sheriff's literary sentence

By GILLIAN BOWDITCH

A SCOTTISH sheriff who ordered a defendant to write a 2,000-word essay on crime and punishment praised his "management of sentences" and then gave him one of his own.

Sheriff Nigel Thomson had asked Alan Dowell to write the essay after hearing he had studied English while serving a previous term in jail. Dowell, 41, who admitted fraud, possessing cannabis and Ecstasy, completed the exercise but was still jailed for nine months.

After reading the essay, Sheriff Thomson suggested that Dowell had the makings of a writer if he could master semi-colons and paragraphs. "I was impressed with it as an honest piece of work," said Sheriff Thomson, who asked for and was granted permission to quote from the essay in his own speeches and writing.

Sentencing Dowell, from Edinburgh, Sheriff Thomson said: "I trust you will continue with your literary work in prison... and make very good use of the obvious talent that you have."

Free weddings 'a clerical error'

By RUTH GLEDHILL, RELIGION CORRESPONDENT

A VICAR who is offering free weddings to couples who are "living in sin" has been urged by diocesan officials to think again. The Rev Derek Sawyer, vicar of St Alden's, Gloucester, has been told by Gloucester diocese that the Church of England would lose £20 million a year if all its clergy followed his example.

Mr Sawyer hopes to persuade couples to stop living out of wedlock by waiving the normal £200 wedding fee. The organist, florist, choir, vergers and parochial church council at his large, 1965 glass church have all agreed to waive their wedding charges.

The first free wedding will be in May, despite a letter from Michael Williams, the diocesan secretary, warning him against the idea.

Mr Sawyer, who thought up the idea of free weddings when working as a missionary in Mauritius, intends to make up the fees by asking the bridesmaids to take collections from the congregations.

He said: "They will be rather pretty and probably members of the family, so they

will have a rapport with the congregation and get a better collection. If people are aware the service is free they will be more minded to be generous. I raise only half as much as the normal cost but double the number of weddings I will have broken even and achieved my aim."

The Rev John Penny, diocesan spokesman, conceded that the diocese had no power to stop the free wedding scheme but said: "I am sure his motives are sound but putting this idea into practice will inevitably result in a loss of income to the church. Money to pay his salary will then have to be found elsewhere."

"We are appealing to his conscience. I am sure Mr Sawyer knows the situation and the consequences of waiving fees and we would hope he would have a sense of wider responsibility to the church." Steve Jenkins, a spokesman for the Church of England, said: "A wedding takes place at a time when the church would not otherwise be in use and some sort of charge is relevant."

PC opens station at hospital

By PAUL WILKINSON

A HOSPITAL where a patient was attacked with a machete is to have its own police station.

The blue light has gone up over the door of an office close to the casualty department of North Tyneside General Hospital in North Shields. PC Mark Arnold, community policeman for the surrounding area, will add the wards and public areas to his beat.

Much of his 20 hours a week at the hospital will be on the late shift watching the casualty unit where trouble has flared among drunks. In 1992 a man walked in and attacked a patient, Linda Naisbitt, a nurse, suffered an 8in back wound from the machete as she tried to protect the patient. She later received an award.

Northumbria Police said: "There is no special crime problem there. North Tyneside Health Care Trust are just the first to offer to put up the money. The trust will pay £12,750 of the annual costs."

PC Arnold said: "Placing the office there means we have a private space to interview bereaved people and the victims of assaults."

Time to draw inspiration

By ROBIN YOUNG

ASPIRING young cartoonists have only a few days left to enter their work for the Mel Calman Awards, the first in what is to be an annual competition to find the Young Cartoonist of the Year, sponsored by The Times.

The closing date for submissions is December 31. The awards, established in memory of the Times pocket cartoonist who died in February 1994 after years of giving wry pleasure to readers through his deceptively simple line drawings, are open to would-be cartoonists aged under 30 on the closing date.

The first prize is £1,500 and two runners-up will receive £500 each. There is also a special £500 prize for those aged under 18. The theme of the competition is Food & Drink, an appropriate one for



young artists still seeking inspiration over Christmas. Each entrant may submit up to two cartoons in any style, drawn or painted, on paper, board or card up to A3 in size. Collages will not be accepted, but the cartoons can be jokier comic strips and can be political in content. Coloured or black and white submissions are acceptable. Do not sign the work. Entries should be marked

with the applicant's name, date of birth, address and telephone number on the back, and sent to The Mel Calman Awards 1995, PO Box 8383, London SE7 7ZL to arrive by December 31.

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Seventeen Tories back Euro-rebels' demand for 200-mile exclusion zone in British waters

Labour whips recall MPs for 'close' fisheries vote

By JILL SHERMAN, POLITICAL CORRESPONDENT

LABOUR whips were last night frantically trying to recall their MPs for tonight's Commons vote on the European fisheries policy as up to 17 Tory MPs were threatening to defy the Government.

The eight former "whipless rebels" are expected to abstain or vote against the Government and Rupert Allason has also indicated that he will vote against. Five other Tories, David Porter, Toby Jessel, Bill Cash, and Nicholas and Ann Winterton may also abstain in what looks set to be a close vote.

As the number of rebels mounted, Labour business managers were trying to recall MPs from abroad. Last night they were likely to be five to seven MPs short, including at least three backbenchers who are seriously ill. An additional five Labour MPs are away but paired with absent Tories.

Donald Dewar, the Labour Chief Whip, has made clear that he does not want to call in the "walking wounded" for what is merely a "take note" motion. If the Government loses it will not have to change its policy.

Government whips appeared confident that enough Opposition MPs would be away to ensure a victory for John Major. But the figures still look tight. All the Liberal

Democrats are expected to turn up except two MPs who are paired. Eight of the nine Ulster Unionists are also expected to be present. The Unionists will finalise their position at a meeting of the parliamentary party at 6pm, one hour before the Commons vote. John Taylor, deputy leader of the party, has indicated that he hopes the party will vote together against the Government.

Labour revealed yesterday that it would not table a confidence motion on Wednesday if the Government is defeated as the Tories would inevitably rally round the Prime Minister on the day Parliament rises for the Christmas recess.

Last night the Euro-rebels

tabled an amendment to the Government's motion calling for the United Kingdom to declare a 200-mile exclusion fishing zone. In addition they want the Government to pledge in its next election manifesto that Britain will resume control of its fishing waters — in effect abandoning the common fisheries policy.

John Wilkinson, MP for Ruislip Northwood, said: "We want to make clear to our community partners that to preserve our stocks we need to take this action and we expect the Government to support us in so doing." He insisted that the move was not "anti-Major or anti-Government".

David Harris, MP for St Ives, who has voted against

the Government in other fishing debates said that he would reserve his position until he had seen Tony Baldry, the Fisheries Minister, to hear his negotiating position on fishing quotas. Later this week Mr Baldry meets other fisheries ministers in Brussels to discuss the amount of fish that can be caught in British waters.

But Mr Harris said: "I certainly have no desire to dance to the tune of the sceptics, whose position is quite bogus. Nor do I want to side with the Labour Party, which is indulging in political opportunism. But if I find that it is my only way to protect my fishermen against unreasonable cuts then I shall vote against."



Rupert Allason, left, who has indicated his intention to vote against the Government, and David Porter and Nicholas Winterton, who are thought likely to abstain. Several more Tories will abstain or vote with Labour

Major accused of concealing his impotence with a figleaf

By JAMES LANDALE, POLITICAL REPORTER

TORY divisions on Europe have consigned the Prime Minister to weakness and indecision and left the Government's policy in tatters, Tony Blair told the Commons yesterday.

The Labour leader said that Mr Major had been left "utterly powerless" at the Madrid summit, where he had reaffirmed the Maastricht timetable for monetary union de-

spite his objections. "Whatever happened to those great new alliances we kept reading you had built and your constant claims that the rest of Europe was coming round to your way of thinking?" Mr Blair asked him. "Why were you driven to concealing your impotence with the figleaf of some study into the effects of a single currency that was so threadbare it was an embarrassment to behold?"

Replying to Mr Major's statement on the summit, Mr Blair said

that no one knew whether the Prime Minister wanted a single currency delayed or the plans for it abandoned. "We don't know what the Government's position is because one half of your party believes, as we do, that it depends on Britain's national economic interests, while the other part of your party believes there is an insuperable constitutional objection to monetary union."

The Tory divisions were so deep that they consigned Mr Major

"perpetually to weakness and indecision on the very issue that matters". It was no longer tolerable for such divisions to prevent a proper national debate on a single currency. "The Government's European policy after Madrid is still in tatters and uncertain. This issue has been suppressed for too long and time is running out."

Mr Major pointed to Labour's divisions over Europe and accused Mr Blair of being willing to decide on "the most important single

economic issue we have faced this century without the facts".

Paddy Ashdown, the Liberal Democrat leader, accused Mr Major of ducking difficult decisions on Europe, using "obstructionism abroad and appeasement at home".

Mr Major angrily accused Mr Ashdown of speaking "unadulterated rubbish" and of knowing so little about Europe that he could not even understand some of the issues. Sir Giles Shaw (C. Pudesey) backed Mr Major's policy of not

ruling out joining a single currency in the next Parliament. "He is absolutely right to occupy the centre and bat for Britain as long as it takes."

Bill Cash (C. Stafford) said that the Government had "sold the past" at Madrid because it had failed to oppose the determination of Germany and France to pursue political union. "We must soon, in a White Paper or by some other means, ensure that we do longer go down the route of political union."

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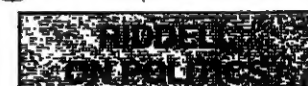
Possibility remains of joining EMU in 1999

The Tory Euro-sceptics have had a bad week. They have failed to tie the Prime Minister down to ruling out British involvement in a single currency in the lifetime of the next Parliament. And none of the criteria laid down by John Major would be an insurmountable barrier to British participation.

Mr Major has become a master of opaqueness. He may make sceptical signals, stressing the "very serious questions" involved in introducing a single currency. But nothing he said at the Madrid summit, or in the Commons yesterday, amounts to never. No wonder Kenneth Clarke looked happy as he sat alongside Mr Major.

In contrast with his previous doubts, the Prime Minister conceded yesterday the message of Madrid, bluntly put by Chancellor Helmut Kohl, that some countries were likely to go ahead with a single, or rather core, currency at the end of the century. However, "only a small number of member states" will meet the financial criteria if one is introduced in January 1999. The majority of current, and prospective, European Union members would not be ready to join for "very many years". This is in line with Mr Clarke's estimate that there is a 60-40 chance that Germany and France will initiate at least a core monetary union at the end of the century.

Mr Major also dashed the other hope of the sceptics that Britain could not join a single



currency since sterling would not be part of the fixed exchange-rate mechanism for two years, as set out under the qualifying rules. The Prime Minister confirmed that the Government did not propose to take sterling back into the ERM in the next Parliament, but added that the original Maastricht rules no longer applied. The ERM which existed at the time of the Maastricht treaty no longer exists: therefore if the original rules applied no country would be able to enter a single currency.

Stripped of all the deliberate ambiguities, Mr Major wants to ensure that any monetary union does not begin and then fail, regardless of whether Britain is a participant. Moreover, arrangements should be made to ensure that Britain and other non-participants should not suffer by remaining outside such a core currency. Hence, all options should remain open until spring 1998 when decisions have to be taken on the founding countries.

The main difference from Labour's position is one of tone. Mr Major stresses the difficulties, while Tony Blair, like Mr Clarke, emphasises the opportunities. In both cases, it will depend on the economic and political circumstances of the time.

A Conservative Government, even a re-elected one

with Mr Major in a presumably much stronger position, would probably not join a single currency at first such as the internal party tensions. Probably, but not definitely, if monetary union was a reality, rather than a plan, the attitudes of the City, business and many Tory MPs might be different.

A Labour government would be more inclined to join from the start. But Mr Blair would have to overcome the doubts of many of his senior colleagues, let alone the largely ageing group of Labour sceptics. His decision would depend on the timing. If Germany and France decided to go ahead in spring 1998, that would probably be only a year into the life of a Labour government when it might still be reasonably popular. But if a decision was delayed much later, say to 1999 or 2000, his government could be suffering from mid-term unpopularity and it would be consequently harder to push through a decision to join a single currency.

Either way, a referendum is now a virtual certainty. If Douglas Hurd is in favour, purist defenders of parliamentary sovereignty like Sir Terence Higgins are unlikely to prevail. British membership of a single currency is still unlikely this century, but it is not impossible.

PETER RIDDELL

Tories begin to pick women candidates

By ALICE THOMSON, POLITICAL REPORTER

GRASSROOTS Tories are beginning to respond to Central Office pressure for the selection of more women candidates.

The party has been alarmed at the success of Labour's women-only shortlists and fears an equal opportunities disaster if it fails to get more than a dozen women into Parliament at the next election. In the past month the first four women have been chosen for safe Tory seats.

Eleanor Laing, who was chosen for Epping Forest this

weekend, is the most striking example that the pressure is taking effect. The constituency, where the Tories have a 20,188 majority, was sold the merits of a woman candidate in briefings from Central Office. Officials have been telling associations that women are less likely to be involved in sex scandals, tend to be more conscientious constituency MPs and on average get more votes than men.

Ms Laing, 37, is a former ministerial adviser and Scottish lawyer and has fought the



Laing: chosen from 250

tough Labour seat of Paisley North. She had applied unsuccessfully to 12 other seats but the Epping Forest Tories chose her from 250 applicants. She opposes "positive discrimination." "We are getting there and we did it fairly so the men can't winge."

IN PARLIAMENT

YESTERDAY in the Commons: questions to National Heritage ministers were followed by statements on the EU summit in Madrid and on rail franchising, and a debate on the Hong Kong (Overseas Public Services Bill).

In the Lords: debate on the Criminal Procedure and Investigations Bill, committee stage. TODAY in the Commons: questions to Environment Ministers and the Prime Minister, followed by a debate on the Common Fisheries Policy, opened by Tony Baldry, Agriculture and Fisheries Minister, followed by Gavin Strang, the Shadow Agriculture and Fisheries Minister.

In the Lords: debates on Lords' procedure and on the Criminal Procedure and Investigations Bill, committee stage.

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Centre gains more support as vote count moves to big cities in west of country

Reformist parties keep afloat in Communist surge

FROM THOMAS DE WAAL
IN MOSCOW

REFORMIST parties were putting up a stiff challenge to the surge of Communists and ultra-nationalists into the Duma last night, as the count continued in Russia's parliamentary elections.

As expected, the Communist Party, with its straightforward message of anger against the Government and nostalgia for the Soviet Union, was firmly in front. With 27 million votes counted last night out of some 68 million cast, it had 21.9 per cent of the vote.

The Liberal Democratic Party of extreme nationalist Vladimir Zhirinovskiy was in second place with 11.1 per cent of the vote. Opinion polls had all but written off Mr Zhirinovskiy, the surprise winner of the 1993 polls, but a brash and brilliant television campaign in the last week seems to have swayed many voters.

Half the 450 seats in parliament are allocated to parties that can gather more than 5 per cent of the national vote. The other 225 seats are elected in local first-past-the-post constituencies. The arithmetic of the vote means that, although the Communists will be the largest party, they will be far short of an overall majority in the Duma.

The first results from the Far East and Siberia showed strong backing for the opposition. However, as the vote count moved west into the European part of Russia and the country's big cities, reformist and centrist parties had started to gather more support.

According to unofficial data, Our Home is Russia, the pro-government party of Viktor Chernomyrdin, the Prime Minister, was ahead in Moscow and Grigori Yavlinsky's liberal movement, Yabloko, was leading in St Petersburg and both parties were approaching 10 per cent of the vote. Mr Chernomyrdin said

HOW THEY VOTED

that his party's electoral performance was "not bad" and was a vote of confidence in difficult times. The Communist Party and Mr Zhirinovskiy's party were trailing badly in the two cities. Commenting on his support outside the big cities, Gennadi Zyuganov, the Communist leader, said that "the periphery voted against the centre".

Another surprise was the likelihood of a resurrection for Russia's Democratic Choice, the liberal party of Yegor Gaidar, the former acting Prime Minister. According to the latest information, it had 4.8 per cent of the vote and was

poised to cross the 5 per cent barrier. If Mr Gaidar's party does win through, economic reformers will maintain their strength in the coming Duma, against the predictions of the polls. His party was also buoyed by the victories of many leading liberals, such as the dissident Sergei Kovalyov, in local constituencies.

By contrast the mainstream nationalist opposition had a disastrous night. The Congress of Russian Communities, led by retired General Aleksandr Lebed and industrialist Yuri Skokov, had been tipped to be one of the big winners on Sunday but had all but faded out of sight by yesterday afternoon and was set to drop below the 5 per cent barrier. The Women of Russia movement, which had made a strong showing in the polls, also unexpectedly dropped below 5 per cent.

Many party leaders who

flopped in the national vote were set to enter the Duma by the back door in the local constituency fights. Among them were General Lebed, Yekaterina Lakova, the leader of Women of Russia, Nikolai Ryzhkov, the former Soviet Prime Minister, and Boris Fyodorov, the former Finance Minister.

□ **Grozny:** Russian forces are preparing an all-out attack on Gudermes, Chechnya's second city, where hundreds of guerrillas were pinning down more than 150 Russian soldiers yesterday, military sources said.

One source said the Russian commanders had decided to break the siege of the city's military headquarters and rail station and had told civilians to leave or take shelter. Other Russian military sources said that they were preparing to direct airstrikes and heavy artillery against Gudermes, where separatists have been fighting Russian troops since Thursday.

Fighting flared then as voting began in local and national elections staged by the Moscow-backed administration in the face of bitter opposition from separatists led by Dzhokhar Dudayev. The polls closed on Sunday. Officials called the election a success with turnout ranging from 50 to 70 per cent and strong support for candidates supporting the Moscow Government. Journalists had seen little sign of voting.

One military source said that 176 soldiers were pinned down in their command post at Gudermes by a rebel force estimated at 500 to 650. The railway station, an important junction for the whole region, was also under siege.

Residents of Grozny said that Russian security forces had fired into a block of flats on Sunday night, killing a pregnant woman. "This is why people join Dudayev's forces," a young man said.

Political chameleon, page 16



Gennadi Zyuganov, the Russian Communist Party leader, at a press conference in Moscow yesterday. A pragmatist in a party of hardliners, he may find it difficult to reconcile the hopes of the workers and pensioners who voted for him with the demands of the bankers who are his new friends

'Red Gaullist' a prisoner of promises

BY THOMAS DE WAAL

THE victor in Russia's parliamentary election, Gennadi Zyuganov, the Communist Party leader, has spent three years preparing for his moment of glory, but his hardest task has only just begun.

Mr Zyuganov, a pragmatist in a party of hardliners, will find it difficult to reconcile the hopes of the pensioners and workers who voted for him with the demands of the bankers and businessmen who are his new friends.

At his first post-election press conference yesterday, he called his success "a complete rejection of the radical policy of so-called democratic reforms". He said he was expecting to win about a third of the 450 seats in the state Duma, and will have the largest faction in the parliament.

In a now-familiar performance, the former ideology instructor from the Soviet Communist Party's Central Committee was foggy on details of

policy. On foreign affairs, Mr Zyuganov could only say that he wanted closer relations with China. On the question of renationalising privatised companies, he said: "We are generally supporters of a balanced approach to this question." Two months ago, at a lunch in the American Chamber of Commerce, he said he favoured lowering taxes for foreign investors.

Talk like that will not go down well with his core electorate, who voted Communist in the hope of a quick improvement in living standards. Valeri Solovet, of the Gorbachev Foundation in Moscow, said recently: "He will run into a revolution of hopes. People will start to demand he carry out the promises he has made." Mr Zyuganov's ideology is a kind of "Red Gaullism", Mr Solovet said. His foreign policy is aggressively national-

ist and he is committed to a strong role for the State in the economy.

At the same time he was careful to tend his grassroots. He fought an old-fashioned campaign in more than 40 cities, talking to packed halls of party faithful. In fiery speeches, he threatened to have Mr Gorbachev prosecuted if he ever came to power, and reminded his audience of the glorious achievements of the Soviet Union in war and in space.

Even as they applauded, many party workers, who came from the orthodox hard core of the Soviet party, said that they wanted a tougher Communist programme.

Grigori Yavlinsky, the liberal economist who was another of the winners in Sunday's election, told Mr Zyuganov in a face-to-face debate recently that his party would purge him if it ever got near to power. Mr

Zyuganov was born 51 years ago in the province of Oryol, in the fertile *chernozem* (black earth) region south of Moscow. He taught chemistry in a village school before joining the Communist Party.

He took over the leadership in February 1993, after the banning order imposed by President Yeltsin was lifted by the Constitutional Court. In the old Russian parliament, he established himself as a strong nationalist.

The next test is whether Mr Zyuganov will run for the presidency next June. Before the parliamentary election, he had mixed feelings about whether he was best cast in the role of king or kingmaker.

He has a kind of rough charm and bonhomie, which goes down well with provincial and elderly audiences, but is physically unimpressive, with a ponderous speaking style that could alienate the youth vote. Nonetheless, he gave a broad hint yesterday that he would be a candidate next summer.

Cynics help to swell march to ballot box

FROM ANATOL LIEVEN
IN VLADIVOSTOK

THE most unexpected thing about Russia's parliamentary elections was probably the size of the turnout. In Vladivostok, long queues built up at polling stations, made worse by the amount of time many voters needed to puzzle their way through the 43 party names.

The high turnout was surprising, given the general degree of public apathy and cynicism about politics. The strong vote for Vladimir Zhirinovskiy and his ultra-nationalist Liberal Democrats was in some ways anti-political. "I am not sure I would like to see him in power, but I like the way he tells off the other politicians. They are all crooks," said Sergei Pavlenko, a pensioner.

The sheer amount of electoral propaganda was also greater than in any previous election. Bewilderment among voters was as a result considerable. Several in Vladivostok could not remember who they had chosen. "Well, there are so many of them and they are all the same to me," said Nina Mikhailovna, a housewife.

Vladimir and Anna, an old couple from Preobrazhenie, north of Vladivostok, said most of their neighbours voted for the Communists or Mr Zhirinovskiy. But they decided to vote for the Women of Russia bloc because, as Vladimir said: "The men have made such a mess, it is only right to give the women a chance."

Players rehearse their lines for a sideshow

BY THOMAS DE WAAL

LIKE its predecessors, the sixth State Duma will be a stage on which some of Russia's most colourful actors may perform but, like them, it is painfully short of powers.

Many famous Russians, including the Oscar-winning film director Nikita Mikhalkov, the pioneering eye surgeon Svyatoslav Fyodorov, the entrepreneur Irina Khakamada, and the tough-talking General Aleksandr Lebed have been elected. But their combined eloquence will not change the constitutional rules of the game, which give deputies endless time for debate but real power to the President.

There are strong parallels with the first two Dumas, elected in the wake of the 1905

Revolution with the consent of the reluctant tsar, Nicholas II. Both were filled with members of the opposition, as the new parliament is expected to be. But both failed in vain against the government and were dissolved. According to the historian Dominik Lieven, their main influence was to check

the government through "budgetary power and the power of scandal", with deputies attacking the venal lifestyles of ministers.

In the first Duma of 1906, many of deputies were peasants, most of whom had never before been to St Petersburg. It lasted 72 days. The English

writer Maurice Baring watched its class battles with fascination. "There was an air of intimacy, ease and familiarity about the whole proceedings," he wrote. "The speeches were eloquent, but no signs of political experience or statesmanlike action were to be discerned."

The third Duma had a restricted electoral base. Peasant jackets were replaced by frockcoats and it ran its full course. The Speaker, Aleksandr Guchkov, challenged a journalist to a duel — a more gallant way of score-settling than the libel suits of today.

The fourth Duma of 1912 lasted little longer than the imperial regime itself. It was disbanded by Nicholas II just before he abdicated.

The outgoing fifth, elected in 1993, has been more outlandish still. Four of its 450 deputies have been murdered, two in mafia-style shootouts. In by-elections, voters chose an ageing cosmonaut and a pyramid scheme fraudster. Nikolai Lysenko, an ultra-nationalist, ripped up a Ukrainian flag and tore a cross from the neck of the dissident priest Gleb Yakunin. Last week a bomb exploded in his office — an attack some said he staged himself. Vladimir Zhirinovskiy, the neo-Fascist, has fought in the corridors.

President Yeltsin, like the tsar before him, has adopted a tone of lofty indifference. A chair is set aside for him, but he has yet to set foot inside the new parliament building.

Success of Far Left stirs new unease

BY MICHAEL BINYON
DIPLOMATIC EDITOR

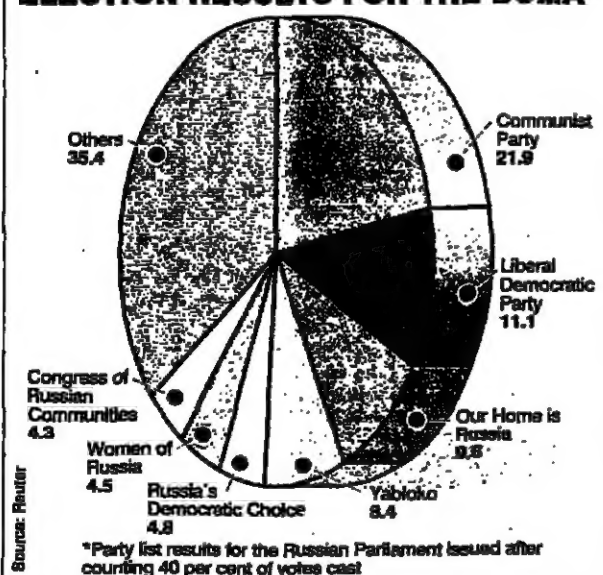
THE Communist gains in Russia were cause for concern in Belorussia, because the Russian party had not changed as much as former communist parties elsewhere in Eastern Europe. Vladimir Syanko, Belorussia's Foreign Minister, said yesterday.

Admitting that millions in Belorussia and other former Soviet republics were still "dreaming of reunification with Russia", Mr Syanko insisted that Belorussia would remain an independent country which would keep a balance between Russia and its neighbours.

Speaking before talks with Malcolm Rifkind, the Foreign Secretary, he called for more vigorous support from the West, noting with regret that no British Cabinet minister had visited Minsk since independence. Whatever the European Union's worries about Belorussia's close links with Russia, isolating the country would only undermine its independence.

Mr Syanko was in London for the formal opening of his country's first embassy in Britain and twenty-second worldwide, a modest flat in Kensington. Britain's trade with Belorussia, now \$40 million a year, has doubled over the past year. "If the embassy has contributed to a tenth of that, it will have paid for its costs," he said.

ELECTION RESULTS FOR THE DUMA*



Nationalist war heroes suffer resounding defeat

FROM RICHARD BEESTON IN MOSCOW

THE biggest shock of the elections for the lower chamber of the Russian parliament was the dismal performance by General Aleksandr Lebed and Aleksandr Rutskoi, two of the best-known nationalist leaders and former Afghan war heroes.

Although General Lebed

won the single-seat constituency in the arms-producing city of Tula, his Congress of Russian Communities, tipped to make a strong showing, failed to secure the 5 per cent minimum needed for entry into the Duma. Mr Rutskoi, a former Vice-President who leads the Derzhava (Great

Country) party, was once seen as the natural successor to President Yeltsin after leading the October 1993 rebellion against the Kremlin leader. However, he also seemed destined for political obscurity yesterday after his party failed to secure enough support to gain seats in the assembly.

Another casualty of the polls was Ivan Rybkin, the parliamentary Speaker, whose party hardly made any impact on the electorate. His days in parliamentary politics are now probably over, although he is likely to be appointed to a senior government post by Mr Yeltsin.

The uncontested winner of Sunday's elections was Gennadi Zyuganov, the leader of the Communist Party, which

doubled its support since the last elections two years ago. He now seems likely to make a strong challenge in presidential elections scheduled for June.

Similarly, Viktor Chernomyrdin, the Prime Minister, who has never been involved in party politics before, has now established himself in parliament with a small but respectable showing for his centrist Our Home is Russia party.

Grigori Yavlinsky, the young and charismatic head of the liberal Yabloko faction, emerged as the undisputed leader of the badly split reformist groups. He will be hoping to transform his parliamentary success into a presidential challenge.

For Vladimir Zhirinovskiy, the leader of the ultra-nationalist Liberal Democrats, there

were mixed results. Although his party performed much better than anticipated, his support across the country has dropped by half since the last election.

Similarly, Yegor Gaidar,

the former Prime Minister and leader of the liberal Russia's Democratic Choice party, lost a substantial percentage of his support compared with the last polls two years ago. Nevertheless, his

party remained hopeful last night that it would still secure a respectable number of candidates in parliament.

For Andrei Kozyrev, the Russian Foreign Minister, his victory as an independent in Murmansk, in Russia's Arctic, was a mixed blessing. Although he now has a guaranteed seat in the Duma, he must resign his ministerial post. Under the new constitution, a deputy cannot be a minister.

The choice of Foreign Minister is in Mr Yeltsin's hands and a ministry source said the naming of Mr Kozyrev's successor could take some time. Anatoli Aizemishin, the Ambassador to Britain, was named by the source as a possible candidate, along with Mr Rybkin and Vitali Churkin, the Ambassador to Brussels.



Aleksandr Rutskoi, left, and Andrei Kozyrev, who both appear to be destined for political obscurity



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First US troops land in Bosnia for Nato mission

FROM STACY SULLIVAN IN TUZLA AND OUR FOREIGN STAFF

AMERICAN troops from the 325 Airborne Battalion combat team began arriving at the Tuzla airbase in Bosnia-Herzegovina yesterday on C130 transport planes after a heavy blanket of fog lifted.

The American planes had been trying to land at the airbase since Friday, but were forced to circle overhead and return to their bases in Italy and Germany because dense fog had enveloped the area. However, before noon yesterday, the first US Air Force C130 touched down and further landings were made during the day.

In total, about 25 planes carrying troops, armoured vehicles and supplies were expected to arrive yesterday. They will form the advance guard of the 20,000-strong American element of the Nato peace implementation force.

"It feels great to finally be here," said Sergeant Dave Johnson. "Anything is better than getting up at 2am every day and sitting around in a plane for seven hours while we circle overhead."

The American troops will take control of the airbase, which is now run by Swedish United Nations peacekeepers. The rest of the American contingent will arrive in Bosnia overland and will not begin to monitor the front line until they can build a bridge

over the River Sava, which runs from Croatia to Bosnia. The operation is expected to take about ten days.

The bad weather forced the tactical commander of the American operation, General Stanley Cherrie of the 1st Armoured Division based in Germany, to fly to Sarajevo and reach Tuzla by convoy and UN helicopter.

Shortly after the first C130s



landed in Tuzla another plane performed several flypasts to test the radar equipment on the base. Now that the equipment has been checked, American officials say that the US Air Force should be able to average about 20 flights a day, even in adverse weather conditions.

The few American combat soldiers arrived in full combat gear, carrying M16 rifles. Others drove off in Humvee

vehicles with 50 calibre machineguns mounted on top.

Despite the three-day delay, General Cherrie said the American deployment was "on schedule" and that the transfer of authority from the UN to Nato would proceed on Wednesday as planned. "The pieces are coming together," he said.

In Sarajevo, a woman was injured yesterday when a sniper hit a tram on the main boulevard. The incident was the first in the Bosnian capital since the peace deal was signed in Paris last week. The woman was treated for an eye injury caused by flying glass.

The trams, which run the length of "Sniper's alley", have been a frequent target. However, they have worked with relatively little trouble since the October ceasefire.

Königsplatz International arms talks in Germany aimed at cementing peace in Bosnia opened yesterday, but Croatia threatened to pull out unless Serbia and Montenegro quickly recognised rebel Serb-held Eastern Slavonia as part of Croatia. Mate Granic, the Foreign Minister, said that the unresolved status of the region bordering Serbia, where the United Nations is due to establish a 12-month transitional administration, was blocking regional security talks. (Reuters)

Troubles linger for victorious Vranitzky

FROM MICHAEL KALLENBACH IN VIENNA

WHILE Austria's political power-brokers huddled together yesterday to discuss the implications of Sunday's elections, the task of restoring the Government's credibility fell to Franz Vranitzky, the Chancellor.

The euphoria of his Socialist Party's victory was likely to be short-lived. Herr Vranitzky has the unenviable task of having to build a new coalition Government knowing that the old budget disagreements that triggered the elections have not been solved by the weeks of electioneering and posturing.

"In fact, the election has changed very little," Peter Ulram, a political scientist at the Vienna University, admitted yesterday. "It did, however, prove that fear of change was the victor."

In the elections the Austrian People's Party came second with 28.30 per cent, followed in third place by the Freedom Party (22.08 per cent). The Greens (4.57 per cent) and the Liberals (5.28 per cent) did badly and lost votes to the Socialists.

Herr Haider was slightly dispirited by the result. He thought he would get 25 per cent of the vote but experienced losses in his home state of Carinthia as well as in Vienna. It was the first time the Freedom Party had lost votes since he took over leadership of the party nine



Franz Vranitzky, the Socialist Austrian Chancellor, left, and Wolfgang Schüssel, the conservative leader, who are expected to start protracted talks about forming a new coalition government after Sunday's election

years ago. Later today President Kitzinger will ask Herr Vranitzky to try to form another grand coalition. He is likely to turn at the first instance to Wolfgang Schüssel, the leader of the conservative People's Party.

It is uncertain that Herr Vranitzky will be successful. There remains a great deal of animosity between the two: it was, after all, Herr Schüssel who broke up the coalition last October by opposing the Chancellor's austerity measures.

Herr Schüssel, leader of the People's Party since last April, thought he would be able to cash in on his popularity and become Chancellor. But in the end his high-risk strategy failed.

The country's political crisis will not be solved until well into January, analysts predict. The negotiations between the two leading parties are expected to be protracted and fraught with difficulties.

For the time being, however, both leaders talk about learning from their mistakes. Clearly, the Socialists will want to see Herr Schüssel squirm for bringing about what they regarded as an

unnecessary election and will make him pay dearly for his mistakes. Herr Vranitzky said that he wants to avoid a similar fiasco in the future and the Socialists may insist on taking charge of a Ministry of the Future that will determine the country's economic programme well into the 21st century.

Another scenario is to embarrass Herr Schüssel personally by insisting that the conservatives give up their Foreign Ministry portfolio, which would rob Herr Schüssel of his job as Foreign Minister.

Greek call to name new PM

Athens: Greek political leaders said yesterday that a successor to Andreas Papandreu, 76, the Prime Minister who is critically ill with pneumonia and related ailments, must be announced by next month.

Under the Constitution, a successor must be named by the majority party's parliamentary group. Opinion polls suggest Costas Karamanlis, leader of the reformists in the Socialist party, and Gerassimos Arsenis, the Defence Minister, are front-runners. (AFP)

Fantasy cure

Paris: The singer Michael Jackson is visiting Disneyland Paris to recuperate after collapsing in New York during rehearsals for a television show. Doctors have ordered him to go on holiday. (AP)

Press threat

Mogadishu: Journalists writing "unholy propaganda" or falsehoods may be executed or have their hands cut off, an Islamic court in the Somali capital said after shutting down a newspaper. (Reuters)

Seals drown

Cape Town: Hundreds of seal pups, too young to swim in heavy seas, drowned after they were swept off an outcrop near Cape Town in gale-force winds. South African officials said. (Reuters)

Soft option

Brisbane: Queensland police will give a free can of Pepsi Cola and a congratulatory message to alcohol-free drivers randomly breath-tested tomorrow. Those who fail will be charged. (AFP)

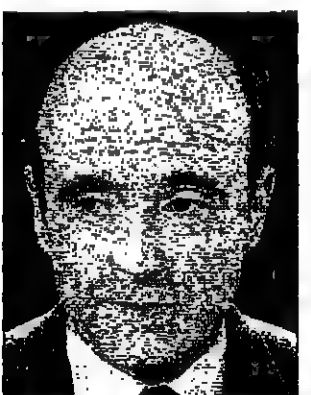
Uneasy lull after strikes expose French divisions

FROM BEN MACINTYRE IN PARIS

THE French transport system was gradually returning to normal yesterday, but more than three weeks of strikes have left France exhausted, divided and increasingly uncertain about the future.

The Government's credibility has been seriously weakened by the dispute, and an already sluggish economy is now heading for a slowdown that could undermine efforts to meet the deadlines for European monetary union.

Alain Juppé, the Prime Minister, has won a temporary reprieve by promising to preserve generous public sector pension benefits and agreeing to shelve a plan to overhaul the SNCF rail system.



Juppé: his climbdown heartened the unions

Those concessions do not seriously affect the calculations behind M Juppé's welfare reform plan, which aims to reduce the annual social security deficit from Fr61 billion (£8 billion) to Fr17 billion next year. The key welfare reforms will be pushed through by decree this week, but M Juppé's climbdown over pensions and rail reform

has raised fresh doubts about the Government's willingness to perform the major surgery the economy needs.

President Chirac has declared that reducing France's debts is now his "priority of priorities", but such pledges ring somewhat hollow when civil servants have successfully fought off efforts to scale back their lavish pensions, the SNCF continues to lose more than Fr1 billion a month and train drivers are still allowed to retire at 50.

Buoyed by the vast protests, the unions are in fighting mood. The Government will hold a "social summit" with employers and union leaders on Thursday, but instead of bringing about peace the meeting may well have the reverse effect. The unions want discussions to include negotiation over wages and social security reform, while the Government has promised only to unveil plans to stimulate the economy. Louis Vianet, head of the Communist-led CGT union, said yesterday the crisis would be "inflamed again" unless the summit produced a concrete response on wages.

France is divided over M Juppé's welfare plans, which include a new income tax and higher health service charges: the latest poll has 49 per cent supporting his reforms and 47 per cent against. Behind the numbers is a more fundamental cleavage over the way France should be ruled, between an elite pledged to fiscal austerity and European union and a population wedded to an archaic and expensive welfare system.

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Anatole Kaletsky, page 27

Weary González agrees to lead Socialist election fight

FROM EDWARD OWEN IN MADRID

FELIPE GONZÁLEZ, the Spanish Prime Minister for the past 13 years, agreed yesterday with some reluctance to lead the Socialists again in the early general election he has called for March. He insisted, however, that there would have to be changes in the corruption-riddled administration.

Recently he had said he was "psychologically and physically tired" of office and hoped his successor would be Javier Solana. Yesterday, however, Señor Solana said farewell to the Foreign Ministry in Madrid before today taking up his post as Nato Secretary-General in Brussels. His successor will be named today.

After expressing his reservations, Señor González ac-

cepted the unanimous request of the 24 members of the party's executive committee that he should head the Madrid list under Spain's system of proportional representation. The Socialists' federal committee will approve the motion on Friday.

"The executive, after interventions from all its members, has unanimously proposed the Secretary-General, Felipe González, as the candidate of the Socialist Party in the next general elections," said Cipriá Cisneros, the secretary of organisation, after yesterday's meeting.

It will be the seventh time that Señor González, 53, has led his party in democratic elections since 1977. Only Helmut Kohl, the German Chancellor, has held a top

political post in Europe longer than Señor González.

During the past six months, Señor González has threatened to stand down, especially since he may be impeached. He is accused of allowing death squads, financed by the Government, to kill 27 Eta guerrillas suspects a decade ago. A Supreme Court judge is interrogating former ministers and officials about the issue.

Señor González's decision was not greeted with jubilation at the headquarters of the centre-right Popular Party (PP), the main opposition to the Socialists. Although the conservatives are six points ahead in the polls, the gap is narrowing and Señor González is still more popular than José María Aznar, 42.

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New hope for women like Linda

Linda McCartney, whose daunting experience of finding a lump in her breast has brought home to her the value of breast screening as a diagnostic technique, has appealed to other women to follow her example and have mammography. Twenty minutes spent in a friendly screening unit with little embarrassment, and only the minimal discomfort of having your breasts squeezed, seems a small price to pay for a very good chance of ensuring long-term survival and, in many cases, probably a cure if a small tumour is discovered.

The Department of Health's annual figures are already showing improvements in survival time since the NHS programme for screening the over-50s was established. These statistics probably underestimate the potential advantages of screening which would be gained if compliance was greater and the age group screened was wider.

There are obvious administrative problems in running any screening campaign: patients don't always attend and, if they do come on the first occasion, they often fail to return for subsequent examinations. Once a tumour has been discovered and removed, whether by lumpectomy (excision of the lump only), quadrantectomy (removal of the lump and some of the surrounding tissue), or mastectomy (removal of the breast, usually together with some of the underarm lymph glands), patients may move away from the district where the operation is performed so the long-term outcome is never recorded.

One occupational health scheme, presided over by a doctor with unparalleled experience in breast screening, has been following the results of surgery on women in whom early tumours have been detected as a result of screening. These women work for a very large firm where regular medicals, with mammography, are de rigueur. They were followed up regularly and their state of health after surgery, if it became necessary, was well known. The results of the survey show that when breast screening is done as a regular routine, so that tumours are found early and dealt with efficiently, the 20-year survival after a cancer of the breast has been diagnosed is, to older generations of doctors who remember the bad old days, quite phenomenal.

What will be of particular interest to the Government, as well as to women, is that almost as good results were obtained for those

A survey confirms the crucial role of screening in breast cancer survival rates

women who had been screened between 40 and 50 as it was for the over-50s. These figures still have to be finally checked, reviewed and approved by independent observers before they can be published. But if they stand up, they will provide great hope for those who have had a small tumour detected, will encourage women to attend for regular screening so that cancers may be diagnosed before they are even felt.



Special report by
Dr Thomas
Stuttard

and will represent another call — one which will have to be met — on the Treasury by the NHS for the screening of women between 40 and 50, as well as for the over-50s.

Linda McCartney, who is 54, has had a lumpectomy. Recent research shows that many patients with tumours at this stage are well advised, if this course of action is considered suitable by their doctors, also to have radiotherapy, now much modified and less destructive, and to take the drug tamoxifen.

The cancerous nature of Linda McCartney's small tumour, which was felt by her London doctor, was confirmed by mammography at the Princess Grace Hospital. She was lucky that her breast film was seen at a unit which has a high reputation for the interpretation of mammograms, for one of the great medical myths is that spotting a malignant growth in a film is as easy as picking out the smiling face of Aunt Annabel from a family snapshot. In fact, interpreting mammograms is an art. Some tumours are so obviously malignant that no third-year student could fail to miss

them on the mammogram. Those most easily diagnosed are the ones which show a spiculate opacity, a white smudge on the film's black surface with white lines radiating from it, as if it has grown whiskers.

In other films the extraneous marks are obviously innocent, but in between there is a grey area, and this is where the skill of the radiographers who take the pictures, and the radiologists who interpret them, can be lifesaving. For not all malignant white smudges have whiskers, and indeed not all smudges are cancerous. Another tell-tale sign of malignancy is microcalcification, little white dots on the film of the breast. These are easy to pick out but, as 33 per cent of women with benign breast nodules have them, it needs an expert to assess their importance. This diagnostic ability is known as pattern recognition. Expertise in it can be learnt, although some radiologists have a natural aptitude. Fortunately the overall standard of pattern recognition has improved enormously since the NHS tightened its quality control.

Even before Linda McCartney's surgery had once again made this most feared of all women's tumours headline news in the lay press, the disease had recently received wide coverage in the learned medical journals. In the past few weeks the *New England Journal of Medicine* has published three papers on breast surgery, and the *British Medical Journal* has had two editorials on its treatment, and one intriguing paper on the association between breast cancer and unhappy and threatening events in a woman's life. A woman experiencing such adverse incidents is three times more likely to develop cancer of the breast in the following five years.

In London last week the Prince of Wales gave a reception at St James's Palace for the Bristol Cancer Help Centre, an organisation with which he has been associated since 1983. The centre has pioneered an integrated approach to the disease with the specialists: the surgeons wielding the knife, the radiotherapists and the oncologists prescribing the drugs combine with those whose main concern is to help patients to find the lifestyle which best suits them, and is least advantageous to their disease.

Improvements in treatment offer a greater hope of cure in the future with the combination of surgery, radiotherapy and chemotherapy; but perhaps early diagnosis remains the best chance of all.



Paul and Linda McCartney: she was lucky that her mammogram was viewed at a hospital with expertise in interpreting films

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Natural Healthcare

What if your surgeon's a junkie?

Professional incompetence, having sexual relations with a patient, irresponsible prescribing, unethical conduct and euthanasia are all headline-grabbing medical offences, and they all featured in BBC's six-part series *Doctors in the Dock*, which finished last week.

Each film considered a doctor who had fallen foul of the disciplinary committee of the General Medical Council (GMC). All violated GMC standards of practice. All gave good accounts of themselves. None blamed illness.

The series thus ignored one of the biggest problems facing the GMC — not the unethical, wicked or incompetent practitioner, but that of the sick doctor. In practice, the prob-

lems of sick doctors are those of mentally ill doctors. Of 100 cases dealt with by the GMC health committee only one related specifically to physical illness. There were 22 cases of alcohol abuse, 14 of drug abuse, 35 of mental illness, and the rest suffered from some combination of the three. Although, overall, doctors are healthier than the general population — probably because few now smoke — they are at increased risk of dying from accidents, suicide and cirrhosis of the liver, all of them linked to alcohol and drug abuse.

As a group, doctors drink too much — the joke that an alcoholic is someone who drinks more than their doctor was already a cliché when I was a medical student in the 1970s. Research published in 1976 showed that doctors in England and Wales were three times more likely to die from liver cirrhosis.

The hard-drinking medical student straight from the pages of *Doctor in the House*

Sometimes the physician cannot heal himself. Dr Simon Wessely on help for doctors who take drugs

can still be found, but their numbers have dwindled. A recent survey showed that only 4 per cent of medical students drink excessively, probably because the curriculum is more demanding and also because now half of all students are women.

Doctors who end up as alcoholic or drug-dependent resemble non-doctors with similar problems. They are more likely to have a history of depression and other emotional problems (some of which may have led them to choose a

medical career in the first place), to have difficult personalities and to have failed or unhappy marriages.

An American study failed to confirm that long working hours were the cause, suggesting instead that doctors were poor at dealing with their own relationship prob-

lems and at communicating with their spouses.

The difference between doctors and their patients is that they are exposed to the temptation of easy access to addictive drugs. Deborah Brooke, of the Institute of Psychiatry, recently studied 83 doctors referred to the Maudsley Hospital, London, with drug problems. Most prescribed their own drugs. A few helped themselves from the ward stock. Only four had ever used any black-market supplies.

In addition, when doctors try to kill themselves, they are less likely to get it wrong. Of all the medical specialists, anaesthetists have the highest suicide rate, not psychiatrists. As a profession we are not

very good at looking after ourselves. We are poor at supporting our colleagues in distress. Nor do doctors make good patients. Many are not registered with a GP, preferring to treat themselves. Such practices can lead to misuse.

In 1980 the GMC changed its rules to allow doctors to be assisted informally in obtaining treatment and to instigate supervision, where necessary (currently for 100).

A total of 144 alcohol or drug-dependent doctors seen at the Maudsley had been ill

for an average of six years before treatment. Surprisingly, it is rare for a complaint from a patient to lead to detection. Patients vote with their feet. Even though colleagues had often detected problems, most had referred themselves.

A study of 100 alcoholic doctors attending a group in Manchester found that after five years 75 per cent remained abstinent, and most had returned to work.

For the most severely ill, a special unit existed at the Maudsley. The majority treated managed to resume their careers. Unfortunately, the unit closed this year.

©The author is Reader in Psychological Medicine at King's College London.

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INSIDE SECTION
2

From *Dream* to screen: can Adrian Noble turn the Royal Shakespeare Company into a box-office hit at the cinema? Page 37

Hindley, that letter and Aristotle



In prison, Hindley played with the governor's dogs



The Moors murderess insists that she is not a psychopath, but Nigella Lawson observes a singular madness in her claim to be misunderstood, ill-used and defamed by the public and press



Eyes of death: Myra Hindley's piercing stare has haunted the public for 30 years



Hindley received an Open University degree in 1989

Season's bleatings

IT IS too late to do anything about it, of course, but I have not sent one single Christmas card out this year. To tell the truth, I hadn't quite realised it was necessary. It would not be true exactly to say that I thought the sending of Christmas cards was a corporate undertaking, but generally I assumed that it was not the province of friends, or not of friends one sees quite normally. I grant, however, that a Christmas card is a useful way of keeping in touch with those with whom one doesn't want to keep in touch.

It's not a principled stand: I cheerfully make up Christmas boxes and have already spent all of January's pay on Christmas presents, but it's just the cards I have a blind spot about. I thought everyone — or more or less everyone I know — felt the same way and I'm sure they used to. Now the unlikely bunch of cynics, atheists and misanthropists is getting in on the act.

In the old days I was bad about receiving cards too and, like Pat Kavanagh (as I read in Valerie Grove's diary), I used to open the envelopes, read the cards and drop them into the bin in one smooth movement. (Keeping a waste-paper basket by the front door is a necessary part of a bumph-filled life.)

BUT NOW I keep every single card — especially those that fall through my letter box from all those very un-Christmas-cardy sorts of people — as a guilty reminder of my own inadequate behaviour.

I thought that because I had taken a blanket decision not to send cards, it was somehow all right. But just because I know I haven't sent one Christmas card out, this doesn't mean that those who feel miffed at my unseasonal behaviour are aware of the fact. Everyone's taking it personally, when the offence is universal. But does that make it any better?

Next year all will be different, but for now I apologise, and I wish everyone a very happy Christmas.

that we should hate the sin and love the sinner. He is right, but Hindley makes it hard. Hindley makes it impossible. Much as we would prefer to, we cannot banish from public consciousness the horror of what she and Brady did: and now she laments that if they had not met "I would have probably got married, had children and by now be a grandmother". Of all complaints... she doesn't get it, does she?

The letter's accomplishment is undeniable: well-written, studded with quotes from Wilde and Yeats, amplified with a reference to Aristotle, it is a remarkably polished piece. It is not that a savage rant would be better, but somehow the elegance seems out of joint. In fact, it is a rather lawyerly exercise: one glimpses language being used in it to manipulate reality, not to reflect it. The gulf between what is being talked about and the smooth manner in which it is being

done is stunning in its grotesqueness.

Regularly, Hindley seems to appeal to the public with reasons why she should be forgiven and released. Before, a warped mind might have seemed an advantage; now it would appear to be a hindrance. This has been noted, in this latest appeal she even

has the nerve to lecture us on ethics. She rebukes us for our moral weakness in rabidly insisting she should feel remorse ("I've always been uncomfortable with the word"), and smugly intones that "I feel that repentance is a much more positive way of expressing deep

and bitter regret". Only she knows whether her repentance is genuine. But, as P.D. James once wrote, one cannot help thinking that if she had indeed grasped the nature of her crime, or rather her offence to society, she would accept her punishment rather than continuously fighting so indignantly against it.

'I have always felt uneasy about the word remorse'

If you need love, gym'll fix it

Geena hitches her left thumb into the scoop-neck of her black Lycra exercise "body", and runs it between her hot skin and the moist material like a zipper, fanning furiously at the exposed skin with her hand, and blowing out air through puffed cheeks like Thomas the Tank Engine.

"Daniel Day Lewis comes here, you know," she pants, adjusting her baseball cap and performing a post-exercise shakedown reminiscent of the game in playgroup when you had to pretend to be jelly-on-a-plate. "I've seen Linford Christie too, and a couple of Gladiators. They can bench-press my 57 'kees' any time."

This means, I think, that Geena weighs 57 kilograms, and would like to lie on top of one of these men while he raised her up and down with his arms. Geena is 33, single, works in marketing "for a major fashion house", and comes to the Westside gym in Kensington in search of love — "or failing that, a washboard stomach, square pecs, and a well-filled pair of cycling shorts."

Was it such elevated romantic ideals that led the Princess of Wales to ask Christopher Whalley: "What must a girl do around here to get a guy to buy her a coffee?" For the answer is clear. What she must do is slip on a G-string leotard over her tights, sit back on a bench like a dentist's chair, and repeatedly raise a 15kg weight by opening and closing her thighs. The sexual messages being sent out in this physical demonstration would draw animal kingdom parallels from Desmond Morris.

"The gym has become the

Giles Coren goes for a workout but fails to make an impression

modern meat-market," says Hugo, a banker in his late thirties who has the sort of muscles that can hardly be necessary to move even very large amounts of money around. "Initially you come to get in shape — which has something to do with sex, but only in the long term. Then gradually, you realise that most of the people are single, lonely and in great shape. All the goods are in the shop-window, if you know what I mean."

We know about the revival of singles bars, Club 18-30, and the fashion for single nights at the supermarket, but from the testimony of the Westside regulars it seems that the gym is the real temple of 1990s love.

"Gyms are a licence to do and say things you wouldn't normally be allowed to," says Diana Cheng, 25, who works out every day at the Lingfield Health Club in Belsize Park. "If a gorgeous instructor says you look great, and touches your thigh while you are lifting, you can't exactly slap him in the face. He's only doing his job. The place is throbbing with ambiguities."

That is not all it is throbbing

with. From the stretch mats where lithe people limber up before a circuit, or lazy people look at themselves in the mirror and swivel their pelvises, you can hear what sounds like an orgy going on downstairs. Above the din of techno music, the sounds from the weights room are of bumping and grinding, and gigantic masses being thrown down with enormous sighs of relief.

From the moment I entered the Lingfield, I did not expect to get any luckier than I had at the Westside. Two artificially suntanned Baywatch types ushered me in at reception — and declared themselves out of my league with the harest gesture of an eyebrow.

Stripped to my old school gym kit, I applied myself to some hideous machines covered in pink leatherette and glanced around. All the women were fully made up, and pausing sporadically in their exertions to mop away sweat lest it dilute their face. Instructors were prowling between machines saying things like "Are you going to make the Punk 'n' Tone session, Deirdre?" "See you for the Step Challenge."

late spoons, jigsaws and chess sets. The second biggest seller in the range is a chocolate mousse teddy bear, which has sold 6,500.

Most surprising, perhaps, has been its cross-market appeal, with even posh shoppers flocking to stock up on the jars as joke presents.

Made from natural ingredients, the paint is perfectly safe on skin and tastes, say those who have tried it, delicious. But how many applications can you get from a 400g jar? Says the spokeswoman: "I suppose it depends on the size of the body you are painting."

also very good as a spread on toast or on ice-cream."

The success of the "paint" — a mixture of milk and white chocolate — has taken Bhs by surprise. "We have a team of six people who work all year round on Christmas gifts, and this year they came up with the idea of a Chocoholics range, which includes choco-



Gym bound: the Princess of Wales

NO ONE could have predicted that the biggest seller at Bhs (British Home Stores) this Christmas would be Chocolate Body Paint, at £3.50 a jar.

Since launching it in October, the maiden aunt of the high street has sold 202,000 of the innocuous-looking jars, which resemble a family pot of chocolate spread with a pastry brush attached at the side. In the past week alone, shoppers have snapped up 60,000.

"When it was launched everyone thought it was a bit of a joke. No one realised what a big seller it would be," says a Bhs spokeswoman. "It is a bit

daring for Bhs, more the kind of thing you would expect to find in Ann Summers."

The instructions, printed on the jar, are ambiguous: "Warm gently, use brush and apply with imagination."

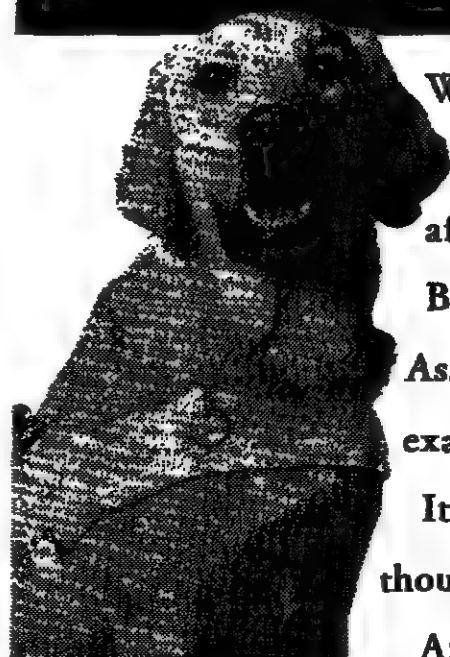
Apply to what? "Well, exactly which part of the body is a matter of personal taste," says the spokeswoman. "But it is

Paint that body

by Julia Llewellyn Smith



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Russia's political chameleon

Richard Beeston, in Moscow, on the Communist revival

Lenin would have revised his dim opinion about democracy if he had been alive to see the scale of his successor's victory in the Russian parliamentary elections. In the space of only one day of polling, the Communist Party has succeeded in reclaiming vast expanses of Russian territory, from the Baltic Sea to the Pacific Ocean, in a bloodless campaign which even his finest Red Guard units would have been hard pressed to match.

From angry pensioners in the Far East to unpaid miners in Siberia and disgruntled farmers in southern Russia, nearly a quarter of the population has sent the ailing President Yeltsin a clear message that his days in office may be numbered. Despite four years of economic reforms in Russia and the granting of unprecedented freedoms to its people, a sizeable proportion believes life was better under communism than the chaotic hybrid system in place today.

In interviews with voters across the country during the election 00000000, the Communists were the easiest to spot. The old woman selling home-grown potatoes out of a battered suitcase in the market

Some successful people fear for their safety

members themselves. They reject the notion that the modern Russian Communists, like their colleagues in Eastern Europe, are simply a branch of social democracy, and argue that they fully intend to drag the country back to the bleakest period of Soviet rule. One senior Kremlin adviser, Mikhail Krasnov, warns that if the Communists ever returned to power, he for one would start looking for a safe cellar in which to hide his children.

The unlikely focus of these dire warnings is Gennadi Zyuganov, the stout, avuncular and affable Communist Party leader, who prides himself on being a pragmatist first and an ideologue second. Once described as a "pick 'n' mix" Communist, he has the uncanny ability to brush off the memory of Stalin's purges and Brezhnev's stagnation, and to bring to life the Soviet Union's finest hours, such as the time Marshal Georgi Zhukov defeated Hitler and the day Yuri Gagarin first travelled in space.

When he is having breakfast with President Clinton or attending the Queen's birthday party at the British Embassy, the former teacher makes a convincing argument for the need for foreign investment and a mixed economy of private and public ownership. Those who believe that Russia is past the point of no return in the reform process take his pragmatism to mean that he would not challenge the current dominance of the economy by bankers and industrialists.

His message was so well received at a recent lunch for the American Chamber of Commerce that one American businessman remarked that even he might support Mr Zyuganov if he would only change the name of his party. Russian businessmen, rightly anticipating a Communist backlash, have already beaten the Americans to it. One candidate on the party list, known as "the red millionaire" owns a casino, while another is reportedly funded by a leading Moscow bank.

On the hustings in Russia's backward regions, where Communist support is strongest, Mr Zyuganov's rhetoric is, not surprisingly, altogether different from his cocktail-party small-talk. Out in the provinces, where the main streets are still named after Lenin, Marx and Engels, he remains loyal to party orthodoxy, promising to halt economic reforms, renationalise industry, rebuild the Soviet Union and curtail Western influence on Russia.

Questions about Mr Zyuganov's real convictions and what the new Communist Party of Russia would do if it ever controlled the country have been the subject of exhaustive newspaper articles, diplomatic cables and research institute reports. But no one, including the Communist Party leader himself, has yet established when this political chameleon will stop changing colour.

Statesmanlike

DIVISIONS at the New Statesman & Society plumed new depths last night as the left-leaning magazine was expected to go into liquidation. The magazine's majority shareholder, the socialist millionaire Philip Jeffrey, said at the weekend that he was putting the magazine's parent company into receivership.

The decision comes after yet another bust-up between Jeffrey (a pugnacious chap with a short fuse) and the magazine's five independent trustees, who were appointed to guarantee the loss-making magazine's editorial independence. The trustees have blocked his attempt to transfer ownership to a new structure giving him sole control.

In a statement yesterday, four of the trustees — who include Labour's divine MP for Barking, Margaret Hodge, and the journalist Neal Ascherson — defended their decision to block Jeffrey's plans. "We have not been able to secure any assurance that there would be any institutional protection for editorial freedom and independence in this new structure, over which Mr Jeffrey demanded total and unimpeded control."

Privately, the trustees have criticised the magazine's Editor, Steve

Platt, an arch-critic of Tony Blair, whom they blame for failing to restore its fortunes in line with those of the Labour Party. Platt has said he will resign, but Jeffrey, who supports his stance, may yet persuade him to stay. "It's an intelligent guess that Mr Jeffrey will find the sort of liquidator who will enable him to buy back the magazine," said Ascherson. Neither Platt nor Jeffrey would comment.



... Should avoid acquaintance be forgot ...



"HO. HO. HO. HO!"

My feel-bad feedback

The fun of the National Lottery is over — but why does it have to leave us feeling guilty and rather seedy?

Christmas is coming, the goose is piping hot, please give a free ride to the nice man from Oflot. Oh, what fearful and unchristian stories we are beset with! Not only do we risk finding a nefarious of chocolate euros in our stockings, but we approach the season of goodwill with a splitting, snarling, silly row about the director-general of Oflot being flown around by GTEch, the American company which owns nearly a quarter of our oh-so-British-sounding Camelot.

Then there is the other row, about whether the GTEch chairman, Guy Snowden, did or did not side up to Richard Branson with devilish murmurs about "the bottom line", like some villain in an Andrew Davies screenplay. This bred a third row, about whether Mr Branson told Oflot at the time and if so, why it doesn't seem to remember.

Oh, tidings of comfort and joy! If the Three Kings were to turn up in this grumpy island looking for the Holy Child, we could expect Balthazar to be instantly arrested for bullion smuggling. Melchior to have his frankincense seized on suspicion of running a dubious aromatherapy massage business, and Caspar temporarily detained as a White List refugee. His myth would go down well, though: we always enjoy anything whose "bitter perfume breathes a life of gathering gloom, sorrowing, sighing, bleeding, dying, sealed in the stone-cold tomb". He would get his own Channel 4 show in no time. The Shepherds, of course, would be seen off by the caringly thrown bricks of the animal rights lobby, and the Ox would go mad.

You observe that I have not managed to whip myself into a moral panic over the conduct of Peter Davis of Oflot. He may have been an innocent, or at worst a twit, to think that his cosy relationship with GTEch would do no harm to his reputation for impartiality. Perhaps he deserves to be sacked for that, but I smell no deep corruption here.

As for the alleged attempt to buy off Richard Branson, that is a niffier business: but still, alas, no more than we might reasonably expect when a large, rich American company has its sights on a lucrative deal with what it sees as a small, poor naïve country. A guy doesn't want to be impeded by some hick local operator who doesn't shave or even wear a suit. For Pete's sake. The impulse of any Big Smart Cheese in these circumstances would

be to hint, lightly and unprovocably, to the said hick that it would be nice to be friends.

If that is indeed what happened, they picked the wrong man. Not only does Mr Branson have his own aeroplanes, but, incredible though it may seem to bigger players from bigger nations, the Virgin boss has one terribly British characteristic he likes lots of other things more than money. If you want to be nasty you can say these things are influence, power, control and personal prestige. If you want to be nicer you can believe him when he expresses a desire to do service to the country: to make a difference. Either way, he is the last man anybody should try to bribe.

But behind these lottery rows lies the real reason why we are all so cross with poor Mr Davis. The National Lottery has created an almost unprecedented "feel-bad" factor. It may be a rip-roaring commercial success, but nonetheless its aura is lousy. Every ticket comes with a built-in hangover: every scratchcard brings on the sort of self-disgust normally found only in the dirtier novels of Martin Amis. If this sounds like the pronouncement of some affluent, out-of-touch pinko liberal, I am sorry: but my social database is actually quite wide, and I have eavesdropped on lottery punters all over the country for a year, mainly while waiting in queues. Nor do I disapprove particularly of gambling: of course a quick flutter can be fun, and of course part of the fun is in the rueful, self-mocking shrug of the shoulders when you lose.

The trouble with this lottery is that, as months went by and its side-effects became apparent, grumpiness overtook the fun. It is only too obvious now that people who can hardly afford bread and cheese are playing the lottery with concentrated desperation. Perhaps a recession is just a bad time to start a national lottery; however it happened, the expression

"a tax on hope" turns out to be a woefully accurate picture of much lottery playing. We have addicts, obsessives, syndicate feuds and the occasional lottery suicide. That scratchcards should be available — even in pubs — to a nation which only a couple of years ago was not allowed to see into a betting-shop or sit down in one has been a major cultural change, and on balance a demoralising one.

Then there is the wider picture. Charities, it is generally agreed, have lost financially from our erroneous idea that a flutter on the lottery is the same as a pound in the tin. On a local level, even jumble-sale and bazaar organisers report lower takings; nationally, Save the Children has announced that it needs to cut back £9 million over two years, losing various projects, because of the "difficult fundraising climate". For its own reasons, it did not link this directly to the lottery, but it must forgive the rest of us for doing just that. If the "fundraising climate" was tough before, it is a lot tougher now. And to make things worse, we now see charity managers and trustees of museums and arts organisations, people who were once proud and resourceful, reduced to the status of mendicants. To get any of this money back, they must wheedle and parhane to the unelected and at times arrogant worthies who man the lottery funds — and who do not always display impeccable justice, tact or logic.

As for business losses, these were confirmed by yesterday's Henley Centre report. There has been a £2.6 billion drop in what we spend on leisure, food and other gaming. Lottery wins, says Henley, are not going into retail spending: shops with no Camelot terminal are losing their trade. Even the most innocent, sociable amusements suffer: showmen like John Carter, who runs a delightful rarity, an antique travelling Steam

less impressive Brown Widow — was proudly showing off its new charge, which knows how to travel in appropriate style. The make of car chosen by the San Diego stow-away was a Fiat 124 Spider.

Stirring still

THE PRINCESS OF WALES has jotted down her recipe for watercress soup in a celebrity cookbook. Recipes for Life — but far more exciting is Tony Benn's version of tea: "Take one pint of pure water and boil it in a kettle with North Sea gas. Add one teabag from the Commonwealth, some milk, and sugar from the Third World and stir until the tea assumes a satisfying deep colour. Then remove the teabag and take every hour, or more often if necessary," says Benn.

Gravy train

ONE PLUMPTURKEY that won't be shuffed for a Christmas dinner table this year is George, the "animal companion" of the pop singer John Oates. George awaits a different fate — as the feathery star in a vegetarian campaign with Martina Navratilova. People for the Ethical Treatment of Animals has encouraged George and Martina to cuddle up in As-

Fair, report that summer takings were well down because people said they had spent their "fun money" on lottery tickets. Yet who, in his right mind, finds more fun in a dismal million-to-one gamble than in giving a child a ride on a real Victorian steam roundabout? Are we so warped?

Camelot is pulling in £200,000 a week of this funless money in profits; which makes us all, scratching and stabbing at arid little paper forms, feel even worse. Worse still, now that we have had our noses rubbed in the fact that a foreign company owns so much of it, and took so much trouble to be lavishly hospitable towards our hapless Oflot "regulator". We have been bought, and rather cheaply. The shame of it is what makes us bay so balefully for Mr Davis's blood.

The lottery has been mishandled; any bookie, barmaid, brothelkeeper or lingerie saleswoman could tell you why. For those who purvey self-indulgent minor vices have always known that if you want to profit from human frailty you must make the customer feel comfortable, preferably in an ornate, Dickensian, Micawberish, lovable sort of way. A really successful vice, whether spending spree, flutter, flirtation or mild debauch, should leave the customer able to wink conspiratorially, giggle with only faint apology, and say "Naughty, but nice!" or "Ooh, you are awful, but I like you!" — whereas we now buy lottery tickets thinking, "Naughty, and ugh, seedy with it!" and are quite unable to give a Dick Emery wink, even to Anthea Turner.

Oflot should have remembered this human need not to feel disgusting, and given the lottery to Richard Branson. Even if the total take had been less — as they say it would — I suspect that the breezy, bearded enthusiast would have made us feel better about it than the watchful grey men of Camelot. Mr Branson said he would not take a profit, and he is not an inefficient businessman: it would have done well enough. And if it had been less successful than Camelot, as Oflot also believes, that in itself might have been better for charities and business.

As it is we passed through pleasure, through addiction, to queasy self-disgust, all in a few months. The only thing we can think of to make us feel better is to have Mr Davis's head. Merry Christmas everybody!

Europe's man of vision

Woodrow Wyatt says Tories should not be defeatist

The only rational and level-headed leader at Madrid, apart from Lamberto Dini, the Italian Prime Minister, was John Major. The other 13 hurried blindly towards a single currency, as though the 1999 deadline were immutable and sacred. Mr Major's insistence that the implications should be studied first and that there is no hurry to fiddle with national currencies was treated as an aberration. Helmut Kohl ostensibly presents meeting the deadline as an article of religious faith in the EU. His object, clearly, is to get all the current members to accept a single currency before the ten or so countries waiting to join the EU are admitted, or perhaps become so alarmed by the impossibility of making their economies meet the conditions that they withdraw their applications.

Herr Kohl and his ally, France, would prefer not to enlarge the EU, which would be more difficult for them to control. France, haunted by memories of previously lost wars, sticks to the belief that subservience to Germany is safer. Hence the austerity programme to make France ready to meet single currency qualifications by 1999, which, though good in itself, has provoked the calamitous French strikes. Instinctively, the French strikers have felt their national identity under threat, as do the Germans when told they must merge their revered mark with lesser currencies.

As the European Commission begins spending our money to persuade us of the imperative necessity of a single currency, John Major alone asks the pertinent questions. As only a handful of nations could initially form a single currency, what happens when those outside it take advantage of their flexible exchange rates to undercut the export prices of those within? The powerful minority within the single currency would be bound to take protectionist measures, which in turn would derail the single market. Again, the weaker EU countries outside the single currency — unable to survive the pressures from those inside — would insist on enormous subsidies, so increasing the European Commission's spending.

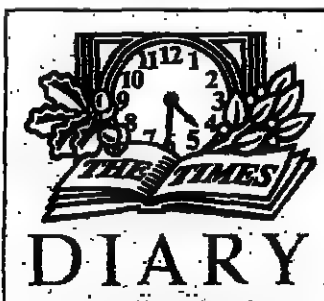
Grudgingly, all had to agree to Mr Major's demand for an in-depth analysis of all possible effects of sticking to an arbitrary deadline. He is determined that nothing should be done which cuts across the vital needs of each country to decide its own taxation and internal spending, leaving nations free to match these to their own economic cycles. Mr Major has already said Britain has no intention of rejoining the exchange-rate mechanism, which was such a disaster for us. We are not being left on the sidelines — we are at the heart, leading Europe towards common sense, to the anger of Herr Kohl and his henchman, M. Chirac, from whom I had hoped for better.

How blind are those in all parties, who cannot see that behind his modesty we have found in John Major a great and patient democratic statesman, maturing through experience, quite unlike the bullying autocrats Kohl and Chirac, whose countries have rarely been noted for their democracy. Cabinet ministers, unless it is wholeheartedly to support Mr Major's very English policy of wait-and-see, should be silent. John Major, seeing long and wisely, negotiated our opt-out. If a Tory Cabinet were to decide not to use it, which I very much doubt, he would hold a referendum.

Today a few restless Tories, unable to see further than their own shoelaces, propose to vote against Mr Major over the common fisheries policy. Part Cornish and having had an elder brother, now dead, who was once High Sheriff of Cornwall, I sympathise strongly with our fishermen. Unfortunately, stocks have been ruinously depleted by over-fishing, and must be given a chance to grow again. We blame the Spaniards, but the Spanish curse their Government for selling out by agreeing to the new rules starting in 1996. *El Mundo* reports the chairman of the Pasajes Fishermen's Association: "If they were going to give up like this, there was no need to go to Brussels to negotiate." Spaniards are united in claiming that the treaty under which they acceded to the EU has been breached and left them worse off.

If the EU had never been invented, an international agreement on fishing in European waters would have been inevitable. Withdrawal now from the fisheries policy would involve rewriting the Treaty of Rome, causing pointless rancour.

I assume that Tory MPs still want to win the next election. Many are absurdly defeatist. Voting against their Government today will change nothing, but will display a decadent disloyalty which will not enhance their electoral chances. Brave Tories should seize on the growing approval for Mr Major's economic policies — witness the booming Christmas retail sales. Unemployment has fallen for 27 months in a row; mortgage rates are at a 30-year low; inflation has been checked. Seventy per cent of the country backs Major's approach to the EU. Changing from Mr Major to Mr Blair looks increasingly like a change for the worse.



Minister, and Uladimir Shchastny, the Ambassador, learnt their impeccable English from the authoritative language tapes made by my colleague, Michael Binyon, our diplomatic editor, when he taught at the Minsk Pedagogical Institute.

Legging it

MECHANICS at a garage in Twickenham, west London, were startled yesterday when they removed the engine from a car imported from California and a female Black Widow spider scuttled out.

The lethal beast was lethargic owing to the cold, but it took half an hour and very long sticks to trap it in a jam-jar. By the afternoon, however, London Zoo — which has hitherto owned only the



Navratilova and friend

pen, Colorado, where they are neighbours. "It means caring about all the other individuals around us, including George, my fine feathered friend," she gushes. "George loves grapes, fresh air and music. Whenever the radio is on he stops to warble and sway." Does he play tennis?

P.H.S



SINGLE DECISION

Major has more room for manoeuvre than he thinks

Today's Commons vote on European fisheries policy will indicate nothing more substantial than the chaos of Conservative European politics. There are Tory MPs in fishing constituencies who have a cogent reason to vote for a Labour amendment and against the Government. But for Euro-enthusiasts and Euro-sceptics upset for opposite reasons by the outcome of the Madrid summit, today's vote is simply another opportunity to vent spleen against John Major. The principal, if inadvertent, effect of rebellion will be to make more likely a Labour victory at the next general election.

The Prime Minister's latest remarks on the single currency are those of a man who considers himself trapped by the internal tensions of his party. He seems convinced of the folly of a single currency and recognises that it might destroy the single market. He says it "is still not too late for Europe to think this through". Yet, in other respects, his actions suggest a confusing quiescence in the drift towards monetary union. He allows his Chancellor, Kenneth Clarke, to talk up a project which he himself publicly disowns. Mr Clarke not only predicts that a single currency will happen. He all but announces to the world that Britain should be part of it. The discrepancy between the Prime Minister's caution and the Chancellor's bravado has become a gross embarrassment.

Mr Major should forget his whip's instincts for a while and take a few political risks. He cannot now rule out a single currency in the next Parliament, much as many in his party and the country would like him to do so. He has too often ruled out such a decision to change his mind now and retain political credibility. On this point, Mr Clarke has indeed painted his boss into a corner. In other respects, however, Mr Major has more room for manoeuvre than he perhaps suspects. The groundswell of Tory opinion

against the Chancellor on European policy has become overwhelming. Even to naturally loyalist Conservatives, who have previously opposed Euro-sceptic rebellion, Mr Clarke's flamboyant espousal of further European integration in private and public has become a source of outrage. With great effort, the party has tried to edge towards a sensible sceptical consensus which does not exclude it from the European negotiating table. To ordinary Tories, the Chancellor seems bent on destroying this fragile truce.

The straightforward course open to the Prime Minister is to show the courage of his convictions and to announce, without telling all his colleagues in advance, that he will hold a referendum should the Cabinet decide to join the single currency. This raises long-term questions about Cabinet solidarity and the role of ministers in a referendum campaign. But the medium-term risks of such a strategy are comparatively small. If Mr Clarke, or any other minister, felt compelled to resign over the promise of a plebiscite, he would be free to do so. But to resign on this principle, long before it became a practical issue, would be political suicide. Mr Major can be confident that he would not be damaged by resignations from his Cabinet on this point; those who left the Government because they opposed the mere prospect of a referendum would mark themselves out for ever as suspiciously anti-democratic.

The true risk is that the Prime Minister waits too long to announce a decision which he seems already to have taken. Tony Blair is clearly toying with the idea that he should make a similar declaration of intent, aware that Labour's European policy will be at the heart of the Conservative bid for re-election. Mr Major cannot afford to be seen as less Euro-sceptical than the Leader of the Opposition. If the cost of a referendum is that his Chancellor walks, so be it.

FRANCE COUNTS THE COST

A country divided against itself

France's turbulent weeks of public protest are at last petering out in an uneasy, partial and possibly temporary truce. Having surrendered to the militant railway workers and backed away from public sector pension reforms which are both economically necessary and socially just, the strikes have cost France £4 billion to date. Alain Juppé's Government has barely begun to measure the further economic costs of the concessions he has made and the political bill, while harder to compute, could well run higher still.

Rarely has a Western Prime Minister with an overwhelming political majority appeared so vulnerable as M Juppé does now. His ability to govern France must be permanently in doubt because he has shown how little he understands the electorate. If he has now given ground which he knows that he should not have conceded, it is mainly because he failed to assess the strength of the enemy or to plan his campaign.

Most French people concede that the country has been living beyond its means; but to acknowledge that in principle is not the same thing as accepting a share of the bill. Persuasion was essential. But M Juppé seems to have assumed that his huge majority in parliament guaranteed public acceptance of his unpleasant but necessary medicine. Thus, having dithered for months, he handed his reform package down to the French electorate with all the finality of Moses bringing the tablets of the law down from Mount Sinai. He compounded this appearance of arrogance by proposing to implement much of the legislation by decree.

For such hubris he has been sharply humiliated. The gloomiest news for the Government is that it has failed to make political capital out of the chaos. At the end

of weeks of struggling to work and even after some extremely ugly scenes of violence France is evenly split: 49 per cent now support the Juppé reforms, but 47 per cent are against. Above all, there is no real indication that many French people have made the logical connection between excessive government spending and their extremely high personal tax burden: there is still a widespread belief that a disembodied State, not the taxpayer, mysteriously finds the money for welfare and pensions.

Having insisted that his reforms stood or fell as an indivisible package, M Juppé is now resigned to negotiations. People ask why he waited until now, if that was a possibility. Further retreat may now be forced upon him. The Prime Minister's appeal last weekend for "reconciliation and understanding" may simply encourage militant union leaders to persist with their demand for the withdrawal of the entire plan Juppé.

France's winter of discontent is far from over and it is not only the militant Left that scents victory: the xenophobic extreme Right will also gain from the widespread, if mistaken, public perception that spending cuts are imposed less by France's domestic economic needs than by the requirements of the timetable for European monetary union. The past few weeks have put on wounding display the gulf of trust between governors and governed in France which President Chirac identified during his election campaign, and promised to heal. De Gaulle used to say that the French had no talent for reform, only for revolution; but the real lesson of the past few weeks is that France will find it easier to put its economic house in order when its political class learns to treat French voters as adults.

CHRISTMAS ARISTOBREAKS

Blandings Castle moves with the times to take in paying guests

"Beach, Beach, where has my Whiffle gone?" Lord Emsworth's voice quavered as close to that of woman waiting for her demon-lover as was practicable for an elderly peer with a fruity baritone and placid habits. For 40 years *Whiffle on the Care of the Pig* had rested on the Grinling Gibbons lectern, beside *Dehret's* (which from constant use fell comfortably open at nobility with titles beginning with B). But they had been replaced on this stand of honour in Blandings library by garish magazines with such incomprehensible titles as *Second-Hand Car Dealer* and *Big Forecourt Fair Play*.

"Lady Constance has substituted reading-matter she judges to be more to the taste of our paying guests, My Lord," replied Beach. Nothing could disturb the butler's majestic gravitas. But it was evident that an emotion close to a volcanic eruption was forming on his upper slopes, making his first three chins wobble like Vesuvius in action. "Paying guests?" cried Lord Emsworth, with the crescendo of woman with open mouth waiting for her d-l who has just swallowed a fly. "What paying guests? We had the garden-opening as recently as August."

"It has been decided that such occasional visitors are no longer sufficient to secure the long-term viability of Blandings Holdings plc," rumbled Beach. "So the company secretary, Mr Baxter, has arranged for us to entertain a convention of motor trade representatives and their alleged partners. There are to be carols and mulled wine in the hall

before dinner. Lady Constance says you are to be sure to wear your robes and coronet for the video-recorder opportunity afterwards."

"Has she gone out of her mind?" roared the peer, like w. w. for her d-l who has now swallowed a hornet. "I am assured that the best families are all in the stately hotelier trade now," replied Beach. "The Marquess of Northampton is offering a Yuletide house party at Castle Ashby. And there are still places left for Mincepie and Mistletoe breaks at Sudeley Castle and Duns..."

But Lord Emsworth was no longer present. He was trotting as fast as his legs would carry him towards the pigsty. But the market economy had penetrated even that porcine paradise. The Empress of Blandings was squealing indignantly at two revolting children rode on her back, egged on by their parents: "Give the piggy-wiggy the gum, Kylie. Step on it, Marion."

Lord Emsworth would have erupted to make Vesuvius sound like a pig's grunt in a poke. But his sister and the Efficient Baxter were smiling at this disgraceful scene with the smugness of newly successful entrepreneurs. So he made his way sadly to the walled garden, where he was so moved that he poured out his troubles to McAllister. "Mphmm," replied that taciturn Aberdonian. "Ye should count yourself lucky, My Laird. Ye have paying guests only for Christmas and Hogmanay. But at Beaufort Castle up in God's own country the Lovans have the Stagecoach people all the year round."

Tories stalled by attitudes to EU

From Mr Peter E. Robin

Sir, Do the leaders of the Conservative Party realise the effect of the neurotic xenophobia which they vent on Europe? There are consequences in the realm of foreign credibility and foreign trade, as well as on their own election prospects: already Britain is viewed as an insular nonentity by most of our European partners, who have little more than contempt for our fears and our antipathy to political progress.

What do these leaders imagine is the attitude of our European partners and their people towards our products and our country? It is amazing that we have been as successful as we have. How much more prosperous would we have been had our partners been able to deal with a supportive, far-seeing Britain instead of the belligerent, almost abusive Britain represented by our former Prime Minister and some of the subsequent Government's ministers?

Since Europe seems to be the single most significant issue that divides the Conservative Party, and since unity is the single most important factor which makes a party electable, I suggest that Europe will be the main reason why the Conservatives will not win the next election.

Much of the electorate look beyond tomorrow and tax cuts and towards the longer-term future of a Europe consisting of the Western European Union, integrated military and police forces, increased democracy in a European Parliament, and an economic and political unit which can face any other such unit on equal terms. While the Labour Party does not appear particularly positive, at least it has not set its face against Europe.

Yours sincerely,
P. E. ROBIN,
37 Knightlow Road, Birmingham 17,
December 18.

From Mr A. J. Turner

Sir, Edwin Currie's economics are awry (letter, December 15). It is not governments that devalue currency, but the international markets. If they recognise that a pound is not worth what the Government says it is worth there is little that government can do.

Governments can, by loosening the money supply, create the conditions in which devaluation is inevitable. If British governments had not created such conditions our savers might have benefited but producers of consequently higher-priced goods might have found fewer buyers abroad. Treaties can prevent devaluation, but they cannot eliminate such difficult choices.

In any event, it is surely better that government is free to take decisions where they can. They must then answer to their electors for the consequences, rather than blame "Europe" (as they inevitably will) for restricting their room for manoeuvre and hence their failure to keep people in work.

The consequences of a single currency are about as attractive as those of rate-capping. It takes away responsibility from local decision-makers. It enables them to blame others for all manner of problems, many self-inflicted. It requires an ever-mightier State to iron out differences of wealth by transfers from the rich to the poor.

In short, it is a road to socialism. As such it is unacceptable to this "good Tory" and former Euro-candidate.

Your obedient servant,
ANDREW TURNER,
32 New High Street,
Headington, Oxford,
December 16.

From Mr Alan Blyth

Sir, The Prime Minister reminds me of nothing so much as a maiden aunt: grey and teary, determined to spoil the celebrations, in this case those for a single currency. In so doing, Mr Major is failing his country.

Why can't he follow the excellent advice of Edwin Currie, welcome the stiff challenge (as his Chancellor seems willing to do) and confound the sceptics and cynics? If Major cannot or will not give us positive leadership he should give way to a Prime Minister who will.

Yours sincerely,
ALAN BLYTH,
22 Shilling Street,
Lavenham, Suffolk,
December 17.

From Mr Victor Black

Sir, Robin Cook (Join us over Europe, December 14) writes once again of the fear that Britain will be "isolated" if we don't do what others in Europe want.

The last time Britain was really isolated was in 1940, and Europe is still enjoying the result.

Yours faithfully,
VICTOR BLACK,
Lower Farm House,
Cotn Rogers, Gloucestershire,
December 14.

From Professor B. P. Setchell

Sir, Why has the proposed single European currency to be named after an Australian kangaroo? "Euro" is the accepted common name of a desert kangaroo, *Macropus robustus*.

Yours etc.
B. P. SETCHELL,
As from: University of Adelaide,
Department of Animal Science,
Adelaide, South Australia,
December 16.

Concern over Royal Navy shortages

From Mr C. J. A. Cope

Sir, Has this Government given up on placing new orders for the Royal Navy? Orders for five new ships were confidently expected before the end of this year. This will not now happen.

It is 33 years since we ordered any amphibious assault ships. The replacement orders for these ships, *Fearless* and *Intrepid*, have been awaited every year since we won the Falklands War. The National Audit Office reported in May 1995 that they were then running three months late. A confidential MoD report now suggests that no orders will be placed until next March at the earliest.

Fearless will have been in service for 31 years next year. *Intrepid* (two years younger) is said to be such a rusty old tub that the Navy dare not send her to sea again. The new orders will take six years to complete. What of our amphibious capability between now and 2002?

Our last anti-submarine frigate was ordered four years ago. Up to three new Type 23 frigates were to have been ordered this autumn. Now there is to be a further slippage until next January or February. In the summer, GEC Yarrow (which built most of the ten Type 23s in service) announced 415 redundancies due to lack of orders. Vosper Thornycroft has also tendered for these frigates.

Diet and disease

From the Secretary General of the Aluminium Federation

Sir, Professor A. R. Michell (letter, December 11) compares the statistical chances of contracting CJD with those of getting Alzheimer's disease. While we cannot fault this analysis, we take issue with his reference to aluminium and Alzheimer's.

No doctor or scientist has claimed that aluminium is a direct cause of Alzheimer's. We all absorb approximately six milligrams of aluminium from our daily diet, in which the contribution from the use of aluminium cooking utensils is minute. To throw them away would be a totally unnecessary waste of excellent products.

Yours faithfully,
DAVID A. HARRIS,
Secretary General,
Aluminium Federation,
Broadway House, Calthorpe Road,
Five Ways, Birmingham 15,
December 14.

From Dr Lawrence T. Weaver

Sir, If present trends continue between 20 per cent and 50 per cent of today's children will eventually die of diet-related diseases. Eating habits

are established in childhood, and schools have a duty not only to educate children about healthy eating but also to provide meals that pose no threat to their future health.

If borough councils, educational authorities and other bodies that control the provision of school meals seriously wish to improve the future health of schoolchildren, rather than ban beef (which with our present knowledge, is likely to save the lives of a negligible number of children) they should introduce a diet that could save thousands of children from premature death in later years from coronary heart disease, hypertension, cerebro-vascular disease and diseases related to obesity.

When there is an abundance of evidence that meals high in saturated fat and refined sugar and low in fibre, iron and calcium have adverse long-term effects on health, it seems illogical to ban beef alone. Hysteria about mad-cow disease should be channelled towards making sensible, evidence-based changes in the eating habits of schoolchildren.

Yours faithfully,
LAWRENCE T. WEAVER,
University of Glasgow,
Department of Human Nutrition,
Yorkhill Hospital, Glasgow 3,
December 12.

School standards

From Professor Emeritus M. Hammeton

Sir, It has at last been generally admitted that the standard of mathematics teaching in schools has crashed (letters, December 13); but mathematics is only singled out because it is easier to judge the decline objectively. Various half-measures to arrest the rot are under discussion: we may be confident that they will fail.

Surely it is time to state publicly what so many are murmuring in private, that education policy took a series of wrong turns, and that a major reorientation is needed. Specifically, there should be selection, leading to separate secondary schools for the able children. Further, the mushrooming of numbers in what used to be called "higher" education needs to be reversed: let there be fewer, but better.

I am, Sir, yours faithfully,
M. HAMMETON,
42 Houlston Avenue,
Jesmond, Newcastle upon Tyne,
December 13.

Tom Burns in Madrid

From Mr P. A. N. P. Laing

Sir, As the last surviving member of the British Embassy in Madrid during the Second World War, I well recall the valuable role as press attaché played by Tom Burns (Editor of *The Tablet*, 1967-82), whose admirable obituary you published on December 9.

Relations between Britain and Spain were very strained, especially following our Soviet alliance, and Nazi propaganda was fierce and believed. Despite this, Tom, who was married to Mabel, the charismatic daughter of an eminent academician, Gregorio Marañon, had access to all that was brightest in Spanish political thought and the arts. Spaniards warmed, as they always will, to an enthusiast and extrovert, allowing Tom to achieve remarkable success in promoting the British view and a belief in the final victory of the Allies.

At the war's end, trying to temper the extremes of anathema heaped upon Spain, he was branded partisan. He thus forfeited his due reward of the OBE until after his retirement in 1982.

Yours faithfully,
PETER LAING,
Turweston Manor, Turweston,
Nr Brackley, Northamptonshire,
December 11.

Paying the penalty

From Mr Richard Fagence

Sir, While applauding Judge Tumm's support of prisoners being given proper work in return for a proper wage (letter, December 13) I fear he may have forgotten to include a group who could also benefit.

Prisoners should support their families if possible, and self-respect could be developed as a result. It would be pleasing to imagine that the better-paid could share the burden of income tax borne by the rest of us.

It would be even better if, at the start of a sentence, compensation for the victim of the prisoner's crime could be set and payment in full made a condition of any consideration for parole. The prospect of "no work, no release" might be a powerful deterrent.

Yours faithfully,
RICHARD A. FAGENCE,
109 Wolf Lane,
Windsor, Berkshire,
December 14.

With the postal delays that often occur at this time of year, it is useful, where possible, for letters to be faxed to 0171-782 5046. Please give contact telephone numbers.

Death knell for London institute

From Mr Derek Ingram and others

Sir, It appears that the Government is determined to sound the death knell of the Commonwealth Institute in Kensington High Street. Its executive committee has been told to close the galleries by April 1 and to serve redundancy notices on staff.

The Institute has made much progress in the past two years towards its target of becoming self-financing, raising nearly £1 million a year, but the Government has rejected appeals for further time to continue these efforts and is to table an Order in Council to amend the institute's 1958 Act so that it can be closed. The Foreign and Commonwealth Office, which funds the institute, has been uncompromising, presumably because of its own budget cuts.

In 1997 the Government is to host the Commonwealth heads of government meeting—the first in Britain for 20 years—and in the last year or two has acknowledged the growing importance to Britain of the Commonwealth relationship. The Institute is the main source of education in this country about the Commonwealth for the next generation. It seems inconceivable that the Government should be content to stop its work.

Mr Rifkind is to appear before the House of Commons Foreign Affairs Committee on Tuesday (December 19) at the end of its year-long inquiry into the role of Britain in the Commonwealth.

It is to be hoped that the committee's members will expect from him an explanation of the Government's peremptory action, and that Mr Rifkind will be ready to give one, and to make some commitment to keeping in being this invaluable British resource and window on the Commonwealth.

Yours faithfully,
DEREK INGRAM
(Past President, Commonwealth Journalists Association),
RICHARD BOURNE
(Director, Commonwealth Non-Governmental Office for South Africa),
PETER LYON
(Editor, *The Round Table*: the Commonwealth Journal of International Affairs),
PRUNELLA SCARLETT
(Director, Commonwealth Affairs, Commonwealth Trust),
5 Wyndham Mews, W1,
December 15.

Piety and prurience

From Dr Valerie Steele

Sir, I thoroughly enjoyed Daniel Johnson's review (Weekend, December 2) denouncing my new book, *Fetish: Fashion, Sex and Power*. I certainly hope that Mr Johnson is right when he predicts that "doubtless this book... will sell well". He has done his bit to help, by emphasising its "lascivious subject matter" and "kinky illustrations".

But what is priceless is his blimpish tone of outraged propriety. According to Mr Johnson, Oxford University Press stands "convicted of prurience" for publishing my book, which contributes to the decline of "decency".

Most scholars would argue, however, that human sexuality is a perfectly legitimate field of academic inquiry. Mr Johnson's references to "prudishness", "piety" and "prurience" seem to indicate that he believes all discussions of sexuality require a heavy dose of moralising.

Fortunately readers can make up their own minds.

Sincerely yours,
VALERIE STEELE,
Fashion Institute of Technology,
Division of Graduate Studies,
Seventh Avenue at 27th Street,
New York, NY 10001-5992,
December 12.

Gifts for Bosnia

From Vice-Admiral Sir Louis Le Bailly

Sir, Our splendid Army is embarking on a vast extension to a most thankless task. We in St Tud's realise that our Christmas will be more comfortable than that of 15,000 of our soldiers and airmen living amongst the snow and rats in the hills and villages of stricken Bosnia.

So, in our small way, St Tud's is sending all the paperbacks, games, cakes, cards, etc. we can drum up. Other towns and villages will, we hope, wish to do so too.

Yours truly,
LOUIS LE BAILLY,
Garlands House,
St Tud's, Bodmin, Cornwall.

Sport on TV

From Mr David Fuller

Sir, In direct contrast to Mr Tim de Ferrars (letter, December 15) I am prepared to pay a higher licence fee for my television now that I know I shall not be subjected to hours of motor racing, football matches, Test matches and other interruptions in the provision of a first-class educational, informative and entertaining service.

Yours faithfully,
DAVID FULLER,
Thornhill, 26 Shearbank Road,
Blackburn, Lancashire,
December 15.

London banker misses out on monthly prize as Arsenal full back spurns opening

Winterburn miss leaves Brewer to drown sorrows

At some point in the coming months Steve Brewer's luck has to change. He has missed the manager-of-the-month award by a whisker — for which Nigel Winterburn, of Arsenal, has much to answer — and has been involved in an ongoing battle with Kevin's Kickers, sometimes outfoxing the Interactive Team Football (ITF) leader, only to see him pull away again the following week.

Mr Brewer is running nine teams in the ITF, all of them called Steve's Lions. His two best sides are lying in joint-sixth place, with two more in 17th and 22nd positions. Although he can ring the changes with so many teams, the rocks upon which his success has been built are Kevin Keegan and Les Ferdinand. They appear in every side.

"It's quite simple really," he said. "I make two transfers for each team every week, make sure all 11 players are playing, and then hope to be lucky." Luck is as important as skill, according to Mr Brewer. Even the best-laid plans cannot account for the unpredictability of football and footballers. Adams and Bould looked like a strong partnership to earn points until they were sent off in successive matches.

In fact, Arsenal have been something of a disappointment to Mr Brewer. He was within a handful of points of collecting the manager-of-the-month award when Arsenal took on Bolton. Bolton won 1-0, much to Mr Brewer's surprise. To rub salt into the wound, Winterburn missed a clear chance, a goal that would have given Mr Brewer the points he needed and left him £500 the richer.

His tactics have changed since the start of the season. "To begin with, I picked any defenders who would play against Manchester City because City could not score goals," he said. "But that has gone as Manchester City are doing better, also thought that Blackburn's defence



IN ASSOCIATION WITH



would be solid, but I changed that idea as soon as the first few matches were played."

At one point he thought of assembling a midfield full of penalty-takers until he realised how expensive that would be. Now he goes for goalscorers and defenders, and after poor results on Saturday, no one was happier with Liverpool's win over Manchester United the next day. "I have got James and Hacking in every team, so I was praying United would not score so that I would earn some points," he said.

Mr Brewer works for a bank in the City of London and is finding his free time is well taken up with running his

nine teams. All the details are stored on his computer as he plots the next week's transfers. "You cannot bank on any player these days," he said. "It is half skill and half luck. I would like to congratulate Kevin's Kickers on being in the lead for so long. But, hopefully, I will catch him one day."

There is still time to catch the leaders and moving into the transfer market is one way to improve your fortunes. ITF has a transfer system which allows you to change up to two players each week. Which player you want to offload and who you replace him with is up to you, although you must replace the outgoing player with one from the same category (ie, a full back with a full back) and keep within your £35 million budget.

You can make transfers only by telephone. Using a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone), call the 0891 333 331 line during the times given. Calls will be charged at 39 pence per minute (cheap rate, 49 pence per minute at other times). If you are calling from the Republic of Ireland, you must call 004 499 020 0631 and you will be charged 58 pence per minute at all times.

If you are lagging behind the leading team selectors, the transfer system will be an appealing option to you in the chase for the £50,000 prize or the monthly £500 prize.

With ITF, not only are you pitting your selectorial skills against other readers of *The Times*, you are also matching your wits against those in the know. With the support of the Professional Footballers' Association, Premiership players have entered sides of their own, and Tim Bracker, of West Ham United, gives his selection on the opposite page. Like him, you may spend £8 million on Matthew Le Tissier — but will he do better than cheaper alternatives?

All matches in the Premiership and those in the FA Cup involving Premiership clubs count and your players and manager win and lose you points. With Kevin's Kickers continuing to set a strong pace, it is time for you to delve into the transfer market?

□ All transfer queries regarding Interactive Team Football should be directed to 0171 757 7016. All other inquiries can be made on 01352 488 122.



Robbie Fowler, of Liverpool, maintained his status as ITF's third-placed striker with both goals against Manchester United on Sunday

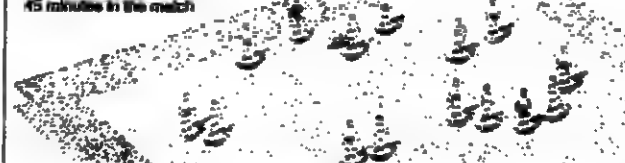
HOW THE SCORING SYSTEM WORKS IN ITF

All FA Cup and Premiership matches in the 1995-96 season count for points. Every goal and penalty counts

POINTS SCORED		
Goalkeeper	4pts	Striker
Keeps clean sheet*	3pts	All players
Saves goal	1pt	Appearance
Full back/Central defender	3pts	Manager
Keeps clean sheet*	3pts	Team wins
Saves goal	1pt	Team draws
Midfield player	1pt	
Keeps clean sheet*	1pt	
Saves goal	2pts	

POINTS DEDUCTED		
Goalkeeper	1pt	Booked
Concedes goal	1pt	Concedes penalty
Full back/Central defender	1pt	Misses penalty
Concedes goal	1pt	Saves own goal
All players	1pt	Manager
Sent off	3pts	Team loses
	1pt	

* must have played for 75 minutes in the match
† must have played for 45 minutes in the match



HOW TO MAKE A TRANSFER IN ITF

Call 0891 333 331

* Calls cost (per minute) 39p (cheap rate), 49p (other times). Rep. 50p

If calling from the Republic of Ireland, call 004 499 020 0631

You can make transfers only by telephone using a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone). You will need your two-digit selector's PIN, which must be typed in and not spoken. Follow the simple instructions and use the player's five-digit codes.

The line is open from 6pm on Tuesday until 11pm on Saturday, from 6pm on Saturday to 11pm on Sunday and from 6pm on Sunday until 3pm on Monday. If there are midweek matches, the line will also close at 3pm on the day of the match (or matches) and re-opens the following day at 6pm.

You may make up to (but no more than) two transfers a week. Each transfer is a separate transaction and you must sell a player before you can buy one.

A player transferred out of your team must be replaced by a player from the same category — for example a full back for a full back.

When purchasing a player you must ensure that the team value still falls within your £35 million budget (even if your next transfer would result in an overspend) and does not contain more than two individuals (two players or one player and a manager) from the same club.

Your new player only starts to score points for you when his transfer is registered. The score of the player transferred out is taken at the time of transfer; he then ceases to score for you.

Player out: Club: _____

Player in: Club: _____

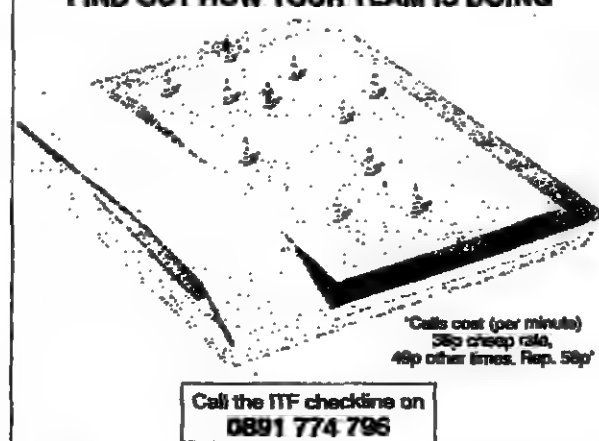
THE WEEK'S TRANSFERS IN ITF

Code	Player	IN	Club	Value
30102	C. Coleman	IN	Blackburn	£2.5m
42008	S. Curtis	OUT	Bolton	£1.5m
Code	Player	OUT	Club	Value
40804	S. Hodge	OUT	QPR	£0.75m

THE LEADING 250 SELECTORS IN INTERACTIVE TEAM FOOTBALL

Pos	Team	(Player's name)	Pts
1	Kevin's Kickers	(K. James)	348
2	Torrey Cooke XI	(Mr P. Johnson)	318
3	Debbie Steele SS	(Mr S. Gohill)	316
4	They're Here	(Mr P. Johnson)	312
5	Teddy Five	(Mr S. Euse)	312
6	Steve's Lions 7	(S. Brewer)	311
7	Steve's Lions 5	(S. Brewer)	311
8	Tyos Blue Noses	(Mr S. Tye)	308
9	Als Abnoms	(A. Hancock)	307
10	Jacobson's FC	(Mr A. P. Jacobson)	307
11	Londons Longshots	(C. London)	307
12	Sunderland Stars	(K. Brown)	300
13	James Boys Six	(M. L. Jones)	300
14	Roadies Supers	(P. Sutton)	300
15	Burnell United	(R. Burnell)	300
16	Jaynes Jugs	(K. Jaynes)	299
17	Leamford Toss	(S. Murray)	298
18	The Young Guns	(S. Shepherd)	298
19	Twilight United	(P. C. Dwyer)	298
20	M. I. Blues	(C. Hardan)	298
21	Steve's Lions 8	(S. Brewer)	298
22	Gary Pearce	(G. D. Pearce)	297
23	Steve's Lions 2	(S. Brewer)	297
24	Jessica Darlings 4	(Mr A. Nicholson)	297
25	Nirvana FC	(Mr J. Donovan)	297
26	Partians	(E. Donald)	296
27	Hamington Inter	(Mr D. Lovell)	296
28	My Cat Bailey	(Mr P. Johnson)	296
29	Waggle Right Foot	(Mr D. Paine)	296
30	Waggle Right Foot	(T. McCusker)	296
31	Formby Flyers	(A. Norton)	295
32	Transporter	(A. Jenkinson)	295
33	Barnet FC	(Mr P. Johnson)	295
34	Waldon Wanderers F	(S. Lee)	295
35	The U.K. Reavers	(J. Elkins)	295
36	Steve's Lions 6	(S. Brewer)	295
37	Playable TV	(T. Vardy)	295
38	Black Knight	(R. Jenkinson)	295
39	Apollis 2	(S. Lazaridis)	295
40	Fergie Fury	(P. Simpson)	295
41	Novocastrians	(E. Donald)	295
42	The Conjurors	(Mr D. J. Farmer)	295
43	Lemonias	(Mr P. Gregorov)	295
44	KP Fantasy Team 4	(Mr Paine)	295
45	Playco And Smith	(R. Booth)	295
46	Peeps Program	(M. Percott)	295
47	Steve's Lions 1	(S. Brewer)	295
48	Bobbin Forest	(S. Burn)	295
49	Short And Stubby	(R. Booth)	295
50	OHME	(Mr Matthewson)	295
51	Kings Kickers	(P. Sutton)	295
52	Roadies Army	(P. Callaghan)	295
53	Where's Bottom	(Mr P. Johnson)	295
54	Fair Fair Flapjacks	(C. Woodward)	295
55	Francis Caldwell FC	(P. Henna)	295
56	Mean Machine	(Ramesh Patel)	295
57	Inertia	(S. Daly)	295
58	The Black Knights	(R. A. Green)	295
59	Adams Man Of God 4	(R. Piles)	295
60	Richies Rovers	(R. Lovell)	295
61	Hull Red Devils	(G. Foster)	295
62	Pretty City	(J. Harrison)	295
63	Brookborough	(J. Nicholl)	295
64	Carling XI	(R. Booth)	295
65	Beardley's Hair	(Mr P. Johnson)	295
66	Here We Go	(Mr S. Smith)	295
67	No Fear Uni	(G. Saunders)	295
68	Chip N Dale XI	(Mrs E. L. Arrowsmith)	295

FIND OUT HOW YOUR TEAM IS DOING



Call the ITF helpline on 0891 774 796

Check your points total and your ranking. You need a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone) and your two-digit selector's PIN. The line is open from noon today

69	Daniel James Ltd	(S. Reynolds)	294
70	Porton Rangers	(J. Lees)	294
71	Oneshotblues	(Mr D. Clarke)	294
72	Drewnas Dribblers	(A. J. Phitcod)	294
73	The Premier Raiders	(Miss C. Sise)	294
74	Martins 5	(T. Martin)	294
75	The West One Too	(A. Nelson)	294
76	Flick	(E. Shatto)	294
77	Finglin Flyers	(E. Ronald)	294
78	Quinton Forest	(J. Beller)	294
79	Adams Man Of God 1	(R. Pile)	294
80	Roadies Rangers	(Mr D. Green)	294
81	Pig In A Poke	(Mr J. Watson)	294
82	Arturch	(A. Matthewson)	294
83	Netbusters	(C. B. Mitchell)	294
84	Blaby Dynamo	(J. Gilbert)	294
85	Goatsie Softboard	(C. Amilago)	294
86	Roadies Rangers	(J. Hurd)	294
87	Moneybags United	(P. Ehrig)	294
88	Roadies Rangers	(D. McIlwain)	294
89	Boal Diggers	(C. Stacey)	294
90	Scot Uni	(G. Scollick)	294
91	Scot 4	(P. Hymas)	294
92	Rapid Overton	(A. Overton)	294
93	The Calks Estate	(Mr S. Hughes)	294
94	Outford Marshing	(Mr J. M. Harris)	294
95	JSJ 16	(J. Johnson-Jones)	294
96	Albans XI	(Mr P. Johnson)	294
97	Barnet Bay Cole	(D. Bowford)	294
98	Marsden Man	(Mr P. J. Butler)	294
99	FJH Rovers	(S. Gossard)	294
100	Northside Stars	(Mr J. R. Reader)	294
101	Cameron Athan	(R. Lovell)	294
102	Mimosa United	(K. Doughty)	294
103	Spouting Sticks	(A. Williams)	294
104	FC Wombles	(J. Smith)	294
105	Shin In The Dark	(D. Grogan)	294
106	Med XI	(M. Stoyman)	294
107	Good Times United	(Mr T. Stabelford)	294
108	Fantasy Formbook	(Mr G. Crutchley)	294
109	Carnes Ducks	(T. Collier)	294
110	Grove Rovers	(T. Townsend)	294

111	Don Accord	(K. Nelson)	277
112	Melks Skill Monsters	(M. Melkum)	277
113	The James Gang	(A. Norton)	277
114	Monster Monster	(M. Pesh)	277
115	Tim 2 Umas	(Mr P. Johnson)	277
116	Andy's Athletics	(A. R. Howes)	277
117	Rescue Raiders	(R. A. Knowles)	277
118	Jamies Lads	(D. Aldridge)	277
119	Turners Earners	(P. Turner)	277
120	MGM	(M. Morgan)	277
121	Doogs	(R. Booth)	277
122	Reckless	(G. Thompson)	277
123	The Doug Hutchies	(M. Stacey)	277
124	Mike's Dream Team	(M. Armstrong)	277
125	Accrington Office	(Mr M. Reja)	277
126	Street FC	(S. Benetti)	277
127	Parfizon Beograd 1	(Mr D. Stojkovic)	277
128	Green Rovers 3	(M. P. Howes)	277
129	Death Or Glory Boys	(J. T. Luckman)	277
130	PSV Eindhoven	(J. A. McCole)	277
131	Synthetic Dozen	(Mr J. Donaldson)	277
132	Overhill Rovers	(Mr M. James)	277
133	OK United	(C. —)	277
134	Turners Earners 2	(M. Corlett)	277
135	Wizzen Wizards	(J. Buckle)	277
136	KBT Uni	(R. Patterson)	277
137	Sully's A Team	(P. Sullivan)	277
138	View Forth	(Mr J. Taylor)	277
139	Ayresome Rangers	(Mr G. W. Smith)	277
140	Monks The Pud	(M. P. Howes)	277
141	Always Hope	(Mr R. Foster)	277
142	Real Athletics	(Mrs G. Keynes)	277
143	Roadies Rangers	(A. Radford)	277
144	Welling Warriors	(P. Shanks)	277
145	Toms United	(T. Bums)	277
146	Kingsland Rovers	(G. Ball)	277
147	Oh Nifty Evans	(Mr P. Johnson)	277
148	Ladies Rovers 3	(M. Bruns)	277
149	Only Can Sewer	(M. McGowan)	277
150	Fudge's Foulies	(J. Abu Hefleh)	277
151	Wallace Wanderers	(Mr H. Haugh)	277
152	Eaves Edies	(M. Carl)	277
153	Howies Heroes	(Mr H. West)	277
154	Semiti ITF	(Mr P. Amor)	277
155	St. Remy Strikers	(G. Debonor)	277
156	Jovial Uni	(Mr H. Hunt)	277
157	Orbita Bravos	(Mr D. McIlwain)	277
158	Boys In Tankland	(J. S. Dwyer)	277
159	Shrew Voles	(H. Brasher)	277
160	The Specialists	(P. Leveridge)	277
161	Norfolk NG	(A. Graver)	277
162	Aberpurs	(G. Shand)	277
163	Winters Wanderers	(Mr A. F. Winter)	277
164	Shrons Buds	(Mr D. Conroy)	277
165	Leppo Geckos	(H. Underwood)	277
166	Scas Crusiers	(Mr B. Harwood)	277
167	Why Denny Dicks	(P. Jarrell)	277
168	Who Needs Mark	(N. Persch)	277
169	Yellieppers XII	(J. S. Dwyer)	277
170	Harberts Harons	(N. Prater)	277
171	Vesuvio	(G. Batcher)	277
172	Newcastle Storms 2	(R. Macdonald)	277
173	Laid-Back Boys	(R. P. Crook)	277
174	Synthetic Dazz	(Mr J. Donaldson)	277
175	Hall Uni	(T. Hall)	277
176	Aberbury Villa	(J. S. Dwyer)	277
177	Domus Domigine	(D. Bur)	277
178	Sevens Legal	(M. Moore)	277
179	BW And Ben United	(B. Robinson)	277
180	Cala Delf Team	(C. Yates)	

The players' weekly and overall scores and their values if you are considering the transfer option

Code	Name	Team	Em	Pts	Wk	OV
10101	T Flowers	Blackburn Rovers	5.00	+5	-18	
10102	B Mims	Blackburn Rovers	1.00	0	-1	
10201	M Schmeichel	Manchester United	5.00	-3	+3	
10302	T Crossley	Nottingham Forest	2.50	0	-18	
10401	D Wright	Nottingham Forest	1.00	0	0	
10402	A Warner	Liverpool	3.50	+5	+19	
10501	J Lidd	Leeds United	0.25	0	0	
10602	M Beoney	Leeds United	3.00	-11	-11	
10601	P Smiles	Newcastle United	0.75	0	0	
10602	M Hooper	Newcastle United	3.00	+5	+4	
10603	S Hlop	Newcastle United	1.00	0	+4	
10701	T Walker	Tottenham Hotspur	2.50	+5	+3	
10702	E Thorstvedt	Tottenham Hotspur	1.00	0	0	
10801	A Roberts	Queens Park Rangers	1.50	0	-7	
10802	S Dykstra	Queens Park Rangers	1.00	0	0	
10903	J Sommer	Queens Park Rangers	1.00	-1	-19	
10901	H Segers	Wimbledon	1.50	0	0	
10902	N Sullivan	Wimbledon	0.75	0	0	
10903	P Head	Wimbledon	1.50	-1	-37	
11001	B Grobbelaar	Southampton	1.50	0	0	
11002	D Beasant	Southampton	0.75	-3	-14	
11102	K Hitchcock	Chelsea	2.50	-1	-11	
11101	D Swann	Chelsea	1.00	0	0	
11202	V Bartram	Arsenal	5.00	+1	+30	
11301	K Pressman	Sheffield Wednesday	0.50	0	0	
11302	C Woods	Sheffield Wednesday	2.50	0	-20	
11401	L Mladkovic	West Ham United	2.50	0	-8	
11402	L Sealey	West Ham United	0.50	0	0	
11501	N Southall	Everton	2.50	+4	+6	
11502	J Kasarton	Everton	0.75	0	0	
11601	S Ogrizovic	Coventry City	1.50	0	-15	
11602	J Gould	Coventry City	0.75	0	0	
11603	J Fylan	Coventry City	1.50	-7	-35	
11701	A Coton	Manchester City	2.50	0	0	
11702	A Dibble	Manchester City	2.50	0	0	
11703	E Imnel	Manchester City	2.00	0	-11	
11801	M Boanich	Aston Villa	2.50	+1	+16	
11802	N Spink	Aston Villa	1.00	-1	-1	
11901	A Miller	Middlesbrough	2.00	0	+3	
11902	G Walsh	Middlesbrough	0.75	-1	+18	
12001	K Branagan	Bolton Wanderers	0.50	-3	-46	
12002	A Davison	Bolton Wanderers	0.50	0	0	

Code	Name	Team	Em	Pts	Wk	OV
20101	N Berg	Blackburn Rovers	3.50	+4	+3	
20102	G Le Sam	Blackburn Rovers	4.50	+1	+3	
20103	J Kenna	Blackburn Rovers	3.50	+4	+12	
20201	D Irwin	Manchester United	4.50	-1	-11	
20202	P Parker	Manchester United	2.50	0	+6	
20203	G Neville	Manchester United	2.50	-1	-1	
20204	P Neville	Manchester United	0.75	0	+4	
20301	S Pearce	Nottingham Forest	4.50	0	+8	
20302	D Lytle	Nottingham Forest	3.00	0	+5	
20303	A Hesland	Nottingham Forest	1.00	0	-3	
20401	R Jones	Liverpool	3.00	+4	+24	
20402	S Bjornby	Liverpool	3.00	0	+4	
20403	S Harrison	Liverpool	0.75	+4	+28	
20501	T Dorog	Leeds United	3.50	-5	+4	
20502	G Kelly	Leeds United	3.00	-2	+6	
20503	N Worthington	Leeds United	1.50	0	-1	
20601	J Beresford	Newcastle United	3.00	-3	+14	
20602	M Holtger	Newcastle United	3.00	0	0	
20603	W Barton	Newcastle United	3.00	+4	+20	
20701	D Austin	Tottenham Hotspur	2.50	0	+4	
20702	J Edinburg	Tottenham Hotspur	1.50	0	-3	
20703	S Campbell	Tottenham Hotspur	1.50	+4	+18	
20704	D Kerslake	Tottenham Hotspur	1.00	0	0	
20705	C Wilson	Tottenham Hotspur	2.50	+4	+4	
20801	D Bardeley	Queens Park Rangers	2.00	0	-5	
20802	R Brewitt	Queens Park Rangers	1.50	0	-4	
20803	N Zelle	Queens Park Rangers	2.50	0	-3	
20901	A Kimble	Wimbledon	2.50	-2	-2	
20902	G Elkins	Wimbledon	1.50	0	-8	
20903	K Cunningham	Wimbledon	1.50	0	-11	
20904	R Joseph	Wimbledon	0.75	0	0	
21001	J Dodd	Southampton	1.50	-1	+9	
21002	F Benali	Southampton	1.00	-1	+5	
21003	S Charlton	Southampton	1.00	-1	+3	
21101	S Clarke	Chelsea	1.50	0	+3	
21102	S Minto	Chelsea	1.50	0	+3	
21103	G Hall	Chelsea	0.50	0	+8	
21104	A Myers	Chelsea	0.50	0	+13	
21105	T Pheasant	Chelsea	1.50	+1	0	
21106	D Petrescu	Chelsea	2.50	-1	+10	
21201	L Dixon	Arsenal	3.00	+3	+32	
21202	N Winterburn	Arsenal	3.00	0	+31	
21203	S Morrow	Arsenal	1.50	0	0	
21301	I Nolan	Sheffield Wednesday	2.50	-1	+4	
21302	P Atterton	Sheffield Wednesday	2.50	-1	-3	
21401	J Dicks	West Ham United	3.00	-2	+1	
21402	T Breacker	West Ham United	0.75	0	-8	
21403	K Brown	West Ham United	0.75	0	0	
21404	K Rowland	West Ham United	0.75	0	+10	
21501	G Abbott	Everton	2.50	0	+4	
21502	E Barnett	Everton	1.50	+4	+14	
21503	M Jackson	Everton	0.50	0	-2	
21604	P Holmes	Coventry City	1.50	0	0	
21601	D Burrows	Coventry City	1.00	-1	-4	
21602	A Pickering	Coventry City	0.75	0	0	
21603	S Morgan	Coventry City	0.75	-3	-19	
21604	M Hall	Coventry City	1.50	0	-1	
21702	R Edgill	Manchester City	0.75	0	0	
21703	D Brightwell	Manchester City	0.75	0	0	
21704	J Foster	Manchester City	0.75	0	0	
21801	G Charles	Aston Villa	2.50	0	+22	
21802	S Staunton	Aston Villa	4.50	0	+3	
21803	A Wright	Aston Villa	2.50	0	+22	
21804	P King	Aston Villa	0.50	0	0	
21805	B Small	Aston Villa	0.50	0	0	
21901	C Blackmore	Middlesbrough	0.75	0	0	
21902	N Cox	Middlesbrough	1.00	0	+26	
21903	C Morris	Middlesbrough	0.75	0	+24	
21904	C Fleming	Middlesbrough	0.50	0	0	
22001	G Bergsson	Bolton Wanderers	0.50	-4	-17	
22002	S Green	Bolton Wanderers	0.25	-1	-12	
22003	J Phillips	Bolton Wanderers	0.75	-1	-15	
22004	A Todd	Bolton Wanderers	0.75	-1	-3	
22005	S McAnemie	Bolton Wanderers	0.50	0	+1	

Code	Name	Team	Em	Pts	Wk	OV
30101	C Hendry	Blackburn Rovers	4.50	+3	+12	
30102	I Pearce	Blackburn Rovers	3.50	0	+3	
30103	N Barker	Blackburn Rovers	0.50	0	-4	
30104	A Reed	Blackburn Rovers	0.75	0	0	
30201	S Bruce	Manchester United	4.50	-1	-12	
30202	G Pallister	Manchester United	4.50	0	+17	
30203	D May	Manchester United	1.50	-1	-2	
30301	C Cooper	Nottingham Forest	3.50	0	+12	
30302	S Chettle	Nottingham Forest	3.00	0	0	
30401	P Babb	Liverpool	3.00	0	+17	
30402	N Ruddock	Liverpool	3.50	0	+21	
30403	J Scales	Liverpool	3.50	+4	+5	
30404	M Wright	Liverpool	1.00	+4	+24	
30405	D Matteo	Liverpool	0.75	0	+4	
30501	D Wedderall	Leeds United	3.50	-5	-8	
30502	C Palmer	Leeds United	3.00	-5	+6	
30503	J Pemberton	Leeds United	1.50	0	-1	
30504	P Beesley	Leeds United	1.00	0	+1	
30505	R Robson	Leeds United	1.50	-5	0	
30601	P Albert	Newcastle United	4.00	-1	+4	
30602	S Howey	Newcastle United	3.00	+4	+22	
30603	D Peacock	Newcastle United	3.00	+4	+19	
30701	G Mabbitt	Tottenham Hotspur	2.50	+4	+14	
30702	C Calderwood	Tottenham Hotspur	2.50	+4	+13	
30703	S Nethercott	Tottenham Hotspur	0.75	0	-1	
30704	K Scott	Tottenham Hotspur	0.75	0	0	
30705	J Cundy	Tottenham Hotspur	0.50	0	0	



Breacker reports considerable interest in the progress of his injury from those who have selected him in ITF

Breacker calls time

Tim Breacker, the West Ham United full back, makes his ITF selections

THE time has come to start getting involved in the transfer market. The Kansas City Kings — my nephew named the side after the American baseball team, the Kansas City Royals — could do with a bit of a change. My original selection did not seem to be scoring the points I thought they would.

I picked my full backs from Manchester United and my central defenders from Everton. The idea was that Everton did not concede too many goals, and that everyone at Manchester United gets involved in the attack, especially Irwin, who was definitely going to be in the side. The problem is, they have not really done as well as I had hoped.

My goalkeeper, Warner, of Liverpool, is another who has done nothing for the team. He has not played yet, so he has not scored any points, but I suppose he has not lost me any either. Still, he only cost £250,000, and by the time I picked him I was running out of money. A good goalkeeper is expensive which means that, even if I sell Warner, I have to sell someone else as well to find enough cash to buy a better keeper. And that means I have to find a cheaper outfield player: juggling the money in this game can get complicated.

My big-money man was Matthew Le Tissier at £8 million. He has been a bit

quiet so far, so maybe the time has come for him to hit form. I think — or rather I hope — that he has now had his bad spell and is ready to start scoring goals again the way he has in previous seasons. But at least if he's not scoring goals it keeps Southampton below us in the table.

Actually, it is amazing how many people talk about this game. I have been injured recently and everyone keeps coming up to me, not to ask how the injury is and how I am, but to find out when I am going to be playing again.

BREACKER'S TEAM

Goalkeeper: A Warner (Liverpool) £2.25m
Full back: D Irwin (Man Utd) £4.5m
G Neville (Man Utd) £2.5m
D Wason (Everton) £2.5m
D Unsworth (Everton) £2.5m
Midfielders: M Dwyer (Aston Villa) £2.5m
J Redknapp (Liverpool) £2.5m
D Platt (Aston Villa) £4.5m
J Moreno (Middlesbrough) £1m
M Le Tissier (Southampton) £8m
Strikers: M Dwyer (Aston Villa) £2.5m
H Redknapp (West Ham) £1m

Code	Name	Team	Em	Pts	Wk	OV
30001	D Maddox	Queens Park Rangers	1.50	0	-7	
30002	J Yates	Queens Park Rangers	1.50	0	-5	
30003	A McDonald	Queens Park Rangers	2.00	-1	-1	
30004	K Reedy	Queens Park Rangers	0.75	0	-8	
30005	A Reeves	Wimbledon	2.50	0	-1	
30006	A Thorn	Wimbledon	0.75	0	-4	
30007	S Fitzgerald	Wimbledon	0.75	0	-8	
30008	C Perry	Wimbledon	1.00	0	-16	
30009	A Pearce	Wimbledon	2.50	0	-2	
31001	K Monkou	Southampton	1.50	-1	+2	
31002	A Neilson	Southampton	1.50	0	+7	
31003	R Hall	Southampton	1.50	-2	+4	
31101	E Johnson	Chelsea	1.50	0	+14	
31102	J Kjeldberg	Chelsea	1.50	0	0	
31103	F Sinclair	Chelsea	2.00	0	+8	
31104	D Lee	Chelsea	0.75	0	+14	
31201	T Adams	Arsenal	4.50	-1	+28	
31202	S Gould	Arsenal	3.00	-3	+24	
31203	M Keown	Arsenal	1.50	0	+21	
31204	A Linighan	Arsenal	1.50	0	0	
31301	D Walker	Sheffield Wednesday	2.50	-1	+5	
31401	S Potts	West Ham United	2.50	-2	+9	
31402	M Ripper	West Ham United	2.50	-2	+6	
31403	A Martin	West Ham United	1.00	0	+21	
31404	A Whitbread	West Ham United	0.50	0	0	
31501	D Unsworth	Everton	2.50	+7	+16	
31502	D Watson	Everton	2.50	+4	+15	
31503	C Short	Everton	2.50	+4	+9	
31602	D Rennie	Coventry City	0.75	-1	-7	
31603	D Bussell	Coventry City	0.75	-4	-1	
31604	B Burrows	Coventry City	1.50	0	-3	
31605	R Shaw	Coventry City	1.50	-3	-14	
31701	K Curle	Manchester City	1.50	0	+3	
31702	A Kernaghan	Manchester City	1.00	0	-1	
31703	M Vonk	Manchester City	1.00	0	0	
31704	K Symons	Manchester City	1.50	0	+5	
31801	U Ehlogu	Aston Villa	2.50	0	+20	
31802	P McGrath	Aston Villa	1.50	0	+11	
31803	C Tiler	Aston Villa	0.75	0	+1	
31901	N Pearson	Middlesbrough	0.75	0	+21	
31902	S Vickers	Middlesbrough	0.75	0	+30	
31903	P Whelan	Middlesbrough	0.75	0	-3	
31904	D Whyte	Middlesbrough	1.50	0	-1	
32001	A Stubbs	Bolton Wanderers	1.50	-2	-16	
32002	C Falcough	Bolton Wanderers	0.75	0	0	
32003	S Coleman	Bolton Wanderers	0.75	0	0	
32004	G Taggart	Bolton Wanderers	1.50	-1	-7	
32005	G Strong	Bolton Wanderers	0.50	0	0	

Code	Name	Team	Em	Pts	Wk	OV
40102	D Baily	Blackburn Rovers	1.50	+2	+19	
40103	J Wilcox	Blackburn Rovers	5.00	0	0	
40104	T Sherwood	Blackburn Rovers	2.50	-1	+20	
40105	S Ripley	Blackburn Rovers	2.00	+1	+19	
40106	P Warhurst	Blackburn Rovers	2.50	0	+1	
40107	M Holmes	Blackburn Rovers	1.00	0	+5	
40110	L Bohinen	Blackburn Rovers	4.00	+2	+24	
40111	W McKinlay	Blackburn Rovers	2.50	0	+1	
40112	G Fenton	Blackburn Rovers	0.75	0	0	
40201	R Gigg	Manchester United	5.50	+1	+26	
40202	R Keane	Manchester United	2.50	0	+8	
40203	L Sharpe	Manchester United	3.00	+0	+15	
40205	N Butt	Manchester United	2.00	0	+18	
40206	D Beckham	Manchester United	0.75	-1	+1	
40207	S Davies	Manchester United	3.00	0	+11	
40302	C Bart-Williams	Nottingham Forest	3.00	0	+18	
40303	I Woan	Nottingham Forest	4.00	0	+24	
40304	S Stone	Nottingham Forest	2.00	0	+7	
40305	D Phillips	Nottingham Forest	2.00	0	+12	
40306	S Gemmill	Nottingham Forest	2.00	0	+12	
40307	K Black	Nottingham Forest	1.00	0	0	

Roya

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THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY DECEMBER 19 1995

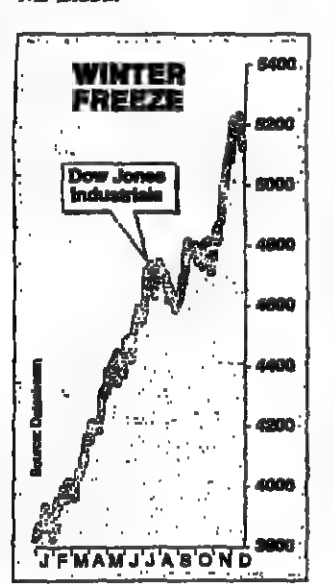
Sharp fall on Wall St stirs rush to sell

By Richard Thomson and Michael Clark

STOCK MARKETS across Europe were shaken out of their pre-Christmas complacency yesterday by a sharp fall on Wall Street that set off an avalanche of sell orders around the world. The rush to sell started on Wall Street after computer problems forced the New York Stock Exchange to open an hour late, at 10.30am, by which time London share and bond prices had fallen sharply. London dealers sensed that all was not well but could not gauge the depth of New York losses because of the breakdown.

By the time it was possible to calculate an opening Dow-Jones industrial average, it was showing a loss of around 90 points. At 2pm in New York it was down 66.84 points at 5,109.89. In London, the FTSE 100 fell back through the 3,600 level to close 46.5 points down at 3,596.1.

The fault in New York was traced to the terminals on the dealing floor of the Exchange, which failed to work properly when trading started. The New York Stock Exchange insisted, however, that the fault had nothing to do with the record turnover last Friday when 653.16 million shares changed hands.



Friday's unprecedented trading volume, due partly to the "triple witching hour" of settlements on the futures and options exchanges, outstripped the record set on Black Monday in October 1987. It put a severe strain on the Exchange's computers, which have been progressively upgraded since the last time they failed in December 1990. Dealers said the delay in opening yesterday contributed to the steep fall during the first few minutes of trading.



Peter Lawrence, the chairman of Lawrence, owner of the Petworld Superstores chain, reported interim pre-tax profits of £820,000 (£342,000). The maiden interim dividend is 1.5p. Second-half trading has started well and prospects for new markets are improving

Kvaerner fails in £360m bid for Amec

By Alasdair Murray

KVAERNER, the Norwegian engineering company, said yesterday that it had failed in its £360 million bid for Amec, the UK construction company. Kvaerner received acceptances worth 10.4 per cent of ordinary shares and 28.2 per cent of preference shares, which, when added to the company's existing stake, gave it 37.5 per cent of Amec's voting rights, well below the 50 per cent required for the bid to succeed. Erik Tonseth, Kvaerner's chief executive, said: "We are obviously disappointed, but the shareholders felt Amec was worth more than we were offering."

Kvaerner will continue to be the largest shareholder in Amec, having already bought a 26.1 per cent stake at a cost of £52 million. It may choose to use the stake as a platform for a further bid, although under takeover rules it would have to wait a year before doing so. Mr Tonseth said: "We have no plans beyond enjoying Christmas and we will consider our position after that. But if the promises made by the Amec board prove to be correct, the holding will prove to be a positive element."

BUSINESS TODAY

STOCK MARKET			
YESTERDAY'S CHANGES			
FT-SE 100	3596.1	(-46.5)	
Yield	3.97%		
FT-SE All share	1762.22	(-17.52)	
Nikkei	19311.06	(-35.47)	
New York			
Dow Jones	5109.89	(-66.84)	
S&P Composite	609.56	(-8.88)	
US RATE			
Federal Funds	5 1/8%	(5 1/8%)	
Long Bond	100%	(110%)	
Yield	6.18%	(6.10%)	
LONDON MONEY			
3-mth interbank	6 1/8%	(6 1/8%)	
Life long gilt	110%	(111%)	
Future (Dec)			
STERLING			
New York	1.5380*	(1.5385)	
London			
DM	1.5399	(1.5399)	
FF	2.2028	(2.2208)	
FF	7.5910	(7.6430)	
SP	1.7873	(1.7904)	
Yen	165.56	(167.27)	
£ Index	92.8	(93.0)	
DOLLAR			
London			
DM	1.4308*	(1.4438)	
FF	4.9340*	(4.9655)	
SP	1.1487*	(1.1653)	
Yen	101.64*	(102.02)	
£ Index	92.8	(94.2)	
Tokyo close Yen	101.88		
NORTH SEA OIL			
Brent 15-day (Mar)	\$17.50	(\$17.45)	
GOLD			
London close	\$387.25	(\$388.00)	

* denotes midday trading price

OfTel 'fund' could force up BT bills

By Eric Reguly

OFTEL, the telecoms industry regulator, yesterday proposed the introduction of a special fund to provide affordable phone services to all residents and schools. It would be financed by BT and its competitors and would be reflected in consumers' bills. The so-called universal service fund, the central proposal in OfTel's new consultative document on "universal service", would collect £50-100 million a year, or slightly less than 1 per cent of annual turnover in the telecoms industry. It would come into effect in 1997. The contributions would be based on market share, meaning British Telecom, at least in the early years, would make the bulk of the payments.

Don Cruickshank, the Director General of Telecommunications, agreed that the fund is effectively a tax that would be passed on to consumers. He said: "The costs have to be borne somewhere. This is a service."

Nynex and Bell close to merger

TWO of the largest domestic US telephone companies, Nynex and Bell Atlantic, are close to a merger that would create the world's second biggest phone company (Richard Thomson writes). The combined group, with profits of \$3 billion and revenues of \$27 billion, would leapfrog all other US telecommunications companies except AT&T, and hasten the massive shake-up of the industry that is under way. It would also race ahead of British Telecom, its largest potential overseas competitor, and MCI, currently the second-largest US long-distance phone carrier in which BT has a 20 per cent stake. The merger discussions were prompted by new legislation planned by Congress to deregulate the US telecoms market. The legislation would allow the seven so-called "Baby Bells", local and regional phone companies that were spun off from AT&T in 1984, to participate in the long-distance market. The new law could be passed before the year end. *Telegraph*, page 26

Public borrowing up extra £1bn

By Janet Bush, ECONOMICS CORRESPONDENT

A FAR worse than expected government borrowing figure for November prompted some City economists to predict an overshoot of the Government's latest prediction, less than three weeks after it was made. The public sector borrowing requirement totalled £3.7 billion last month, about £1 billion more than the City had been expecting. This takes the cumulative PSBR in the first eight months of the current tax year to £22.8 billion, compared with £23.2 billion in the same period last year, according to the Central Statistical Office. In the Budget, the Government revised its forecast for the full year to £29 billion from £23.6 billion predicted in the summer forecast. The worse than expected figure was down to disappointing tax revenues and local authority spending. VAT receipts were particularly weak, showing a year-on-year growth rate of only 3.6 per cent so far this year, compared with the Budget forecast of a 5.2 per cent gain. Local authorities had a £300 million surplus last month, but they have been borrowing more heavily than in the previous year. To hit the Government's forecast of a £100 million deficit for the full year, they would have to run a monthly surplus of £300 million in the last four months of the tax year.

However, according to Michael Saunders of Salomon Brothers, that has never happened in the past ten years. Mr Saunders said that the Government would probably still meet its target, but local authority finances and tax revenues would have to improve. David Hillier, of NatWest Markets, said that the Government would have to see a strong clutch of corporation tax receipts next month and a smaller than usual end of year bounce in departmental spending if it were to meet its PSBR target. Greater concern attaches to the Government's forecast of a £22.4 billion PSBR next year, given that few economists believe that it will achieve its prediction of 3 per cent growth in gross domestic product.

Royal and Bank of Ireland agree US deal

By Patricia Teahan, BANKING CORRESPONDENT

ROYAL Bank of Scotland and Bank of Ireland have reached agreement on a \$14.4 billion combination of their US banking operations through a merger of Citizens Financial and Bank of Ireland First National, the holding company for First NH Bank. The merger will create the third-largest commercial banking group in New England, to trade under the Citizens name. It is being achieved through the issue of new Citizens

shares to Bank of Ireland. RBS will hold 76.5 per cent of the enlarged Citizens share capital, giving it full management control of the US bank. The remaining 23.5 per cent will be held by Bank of Ireland. It will have two directors on the new Citizens board of 13 - Pat Molloy, Bank of Ireland chief executive, and Maurice Keane, his deputy. Citizens will continue to be run by Larry Fish, chairman, president and chief executive officer. On the basis of an estimated value of \$1.85 billion for the enlarged Citizens, the deal values Bank of Ireland's 23.5

per cent share at \$435 million. Citizens contributes assets of \$10.2 billion to the merged operation and First NH contributes \$4.2 billion. Bank of Ireland's share of the merged bank is smaller than its assets suggest because it is taking around \$220 million in cash and loan notes from Citizens at completion of the deal next Spring. This represents surplus capital within the bank and the value of tax losses which will then be available to Citizens. Citizens will also return \$50 million of capital to RBS, representing RBS's share of Citizens profits before the

merger. Bank of Ireland may receive up to \$26 million if certain tax losses are realised in the future. Its leasing subsidiary, Bank Ireland First Financial, does not form part of the deal. It will be transferred to Bank of Ireland before completion at a book value of \$24 million. An RBS spokesman said leasing was "not in line with Citizens' other businesses". He said there is no overlap of branches, but RBS expected that there would be overlap in back offices, though it was too early to say how many jobs would go.

POUR MONSIEUR

CHANEL

POUR MONSIEUR
ELEGANCE IS TIMELESS

CHANEL

Derivatives market has \$1,745 billion at risk daily

By PATRICIA TEHAN, BANKING CORRESPONDENT

MORE than \$1.7 trillion (\$1,745 billion) is at risk on a typical day in the "exotic" and unregulated over-the-counter (OTC) derivatives market.

The figures come from the first global survey of the market, conducted by the G10 central banks under the auspices of the Bank for International Settlements (BIS) based in Switzerland. The figure was far bigger than previous estimates of the size of the market.

The survey covered 26 countries and 2,400 market participants. It showed that the notional amounts of the contracts on a typical day was \$40.7 trillion, but, of that, only \$1.7 trillion was at risk.

Although the average amounts at risk were relatively small compared with banks' lending risk, regulators have become concerned about the OTC derivatives of the institutions they regulate. OTC contracts are negotiated between market participants, usually

dealers or financial institutions, and as such are unregulated. The survey did not focus on global exchange-traded derivatives activity, though it did show that the OTC market is significantly smaller.

The survey was not undertaken for regulatory purposes, but Pen Kent, executive director of the Bank of England, said the "exotic" OTC derivatives market was changing rapidly and "there are regulatory questions which you start to be able to ask and to answer". From a regulator's point of view, he said, the survey provided a useful "track record".

Shinichi Yoshikuni, a senior adviser in the international section of the Bank of Japan, is leading a sub-group that is following up the survey with a view to persuading the leading OTC derivatives players to provide regular market information to regulators.

He said that the detailed analysis of the survey's results, to be published next spring, should "help to enhance the transparency of the markets further".

He said: "The regular reporting should aim at improving transparency in derivatives markets for the benefit of market participants and official authorities." This monitoring would aim to be market friendly, he said.

The survey showed that London is the most active market for OTC derivatives with a 30 per cent market share, or gross turnover of \$351 billion a day on average. The US is next with 15 per cent, followed by Japan with 12 per cent.

In order to show how the OTC derivatives market compares with other financial markets, BIS said that, of the \$1.7 trillion total, the amount at risk of foreign exchange and interest rate derivatives contracts concluded with counterparties abroad on a typical day was \$935 billion. This compares with \$7.7 trillion at risk in the cross-border claims of BIS reporting banks.

Ian Wood, the Bank of England official who co-ordinated the UK side of the survey, said the biggest surprise was not the size of the market but the fact that it was less concentrated than had been expected.

He said 21 firms had 1 per cent or more of the market and 16 firms had 2 per cent or more. The top 10 firms together accounted for 52 per cent of the market, he said.



Ian Tegner, left, and Rodney Webb, managing director, look forward to better times

Crest rides out rises

CREST PACKAGING, the manufacturer of flexible packaging and cartons, said raw material prices had stabilised, easing pressure on margins (Martin Barrow writes).

The company yesterday reported a decline in pre-tax profits to £1.07 million from £1.38 million in the 28 weeks to October 28.

Earnings fell to 2.7p a share from 3.5p. The interim dividend is maintained at 1.375p a share, due on March 22. The shares were unchanged at 65p yesterday.

Ian Tegner, chairman, said the rapid escalation in raw material costs and the intense competition among key customers led to a continued delay in the recovery of cost increases.

Mr Tegner added that although trading conditions remained tough the company looked forward with increasing confidence. Order books were strong.

Tele-Cine Cell hit after profit warning

By MARTIN BARROW

SHARES in Tele-Cine Cell, the film, television and video production facilities company, dropped 26p to 72p yesterday after it told shareholders that profits would fall significantly below expectations in the second half.

The company, whose shares were floated on the stock market in November 1994 at 170p, said that increased capacity in the facilities industry had triggered aggressive rate discounting, resulting in loss of business to competitors.

In an effort to claw back market share, the company has increased expenditure on marketing in the UK and overseas, but it said that was unlikely to have any impact until 1996.

Tele-Cine Cell, which is based in Soho, has carried out

work for Guinness commercials, *Spitting Image* and Premiership Football. The company specialises in video editing and special effects. Last year's flotation raised £4 million of new money to reduce borrowings and provide additional working capital.

The share issue had valued the company at £20 million and made Paul O'Hagan and John Rowland, its joint managing directors, paper millionaires, valuing their holdings at £2.7 million each. Yesterday, the value of the holdings fell to £1.4 million.

The company said that the total dividend for the year would be maintained at 5.4p a share. At the interim stage, when profits fell to £914,000 before tax from £1.29 million, a 1.8p dividend was paid.

Govan joins space race

A £1 BILLION order for launching up to 20 American satellites on Ukrainian rockets yesterday guaranteed a Glasgow shipyard a place in the commercial space race.

The order from the Hughes Space and Communications Company will help to secure 1,300 jobs at the Kvaerner Govan yard, which is to build the £60 million ship that will be the control centre for the project, called Sea Launch.

The order for ten satellite launchers, and options for ten more, was announced by Hughes and other leaders of the project, of which the Scottish yard is part. The ambitious plan to launch satellites from the Pacific was announced earlier this year, but until yesterday there had been no firm orders. Work on the control vessel can now begin at Govan and the first launch is scheduled for 1998.

Kjell Mikalsen, the yard's managing director, said: "Everyone at Kvaerner Govan has pulled out all the stops to win this important contract, which will secure the 1,300 permanent jobs at Govan until 1997."

He praised the work of ministers and officials at the Scottish Office and Department of Trade and Industry who helped to win a contract which put the yard at the front of shipbuilding technology. Sea Launch is a joint collaboration by Boeing, Russia's Energia space company, Yuzhnoye, the Ukrainian rocket manufacturer, and Kvaerner, the Norwegian group. While Govan will build the 35,000-tonne transporter ship, a Kvaerner yard in Norway will build the £50 million launchpad.

Catholic employment increases in Ulster

MORE Catholics in Northern Ireland are finding jobs, but they are still more likely than Protestants to be out of work, according to a report published yesterday.

Figures from the Fair Employment Commission's annual report show that by 1994, 37.3 per cent of the working population was Catholic. In 1990, the figure was 34.9 per cent.

The proportion of Catholics in all areas of work has increased, particularly in managerial and professional occupations. Almost a third of all managers (32.2 per cent) and a slightly larger proportion of the professional classes (34.4 per cent) are now Catholics. They were best represented in the clerical jobs (39.3 per cent) and worst in the protective services (22.0 per cent).

Among the unemployed, Catholics are still the hardest hit. Although they make up 40 per cent of the available workforce, they account for half of the unemployed and 60 per cent of the long-term unemployed. Bob Cooper, FEC chairman, said progress had been made but he warned against complacency. He said that for years, efforts to eradicate unacceptable inequalities in employment had to be made in unrelenting political and economic conditions.

"This has made the progress to date all the more commendable," he said. "But now, with the prospect of lasting peace and the potential for sustained economic growth, those efforts must be redoubled. There is still much that remains to be done, not just by individual employers, not just by the FEC and not just by Government, but by the concerted efforts of everyone in Northern Ireland who is able to make a contribution to creating a fair and equitable society."

IG Metall offer on pay condemned

GERMAN employers and workers condemned an unworkable offer from IG Metall, the engineering union, to accept inflation-linked pay rises in exchange for the creation of jobs. The "Alliance for Jobs" proposal initially met with a guarded welcome across a Germany haunted by the prospect of unemployment reaching four million, with even Helmut Kohl, the Chancellor, calling the offer worthy of consideration. But, yesterday, a survey of 814 German works' councils showed 88 per cent believed employers would not create more jobs, while 73 per cent thought the Government would not play its part in the alliance.

IG Metall, considered Germany's most powerful union, seized the initiative on jobs last month with a surprise offer to link its next pay demand to inflation if employers agreed to create more than 300,000 jobs and the Government safeguarded jobs benefits. IG Metall, which represents more than three million engineering workers and came under fire this year for apparently ignoring the plight of the unemployed when pressing for wage rises, has already met with Chancellor Kohl to discuss the proposals.

US shutdown halts data

THE Commerce Department is postponing today's release of estimates of third quarter gross domestic product and November housing starts because of the partial government shutdown. The department also said that if the shutdown continued it could also force the postponement of tomorrow's trade data for October and November. Government workers at departments without fiscal 1996 appropriations were sent home yesterday and data collection has been halted.

Prudential confident

PRUDENTIAL CORPORATION, Britain's biggest institutional investor, is bullish about the UK equity market in 1996. Chris Cheetham, director of investment strategy for Prudential Portfolio Managers, said the market still offers good long-term value to investors despite strong gains in 1995. The key features of 1996 were likely to be renewed confidence in economic recovery, continued low inflation, stable interest rates and continuing strong corporate cash flow, enabling healthy growth in dividends, he said.

Italian growth contested

ITALY'S economy will grow less quickly in the next two years than the Government has predicted and inflation will be higher than forecast, a report by the Organisation for Economic Co-operation and Development said. The report said economic growth should reach 2.7 per cent in 1996 and 2.5 per cent in 1997, with inflation growing at 4.1 and 3.6 per cent over the next two years. The Government had predicted growth of 3 per cent next year and 3.1 per cent in 1997, and inflation at 3.5 per cent in 1996 and 3 per cent in 1997.

Pechiney shares fall

SHARES in Pechiney, the French aluminium and packaging group, fell on their first day of trading on the Paris bourse yesterday. After opening at FF180, 3.74 per cent down on the issue price to private and institutional investors of FF187, the shares slipped further to FF178, a fall of 4.81 per cent. The Government announced the privatisation of Pechiney earlier this year as part of its schedule to raise funds to curb the public deficit. However, demand has been weak amid France's disruptive public sector strikes.

Grounds for complaint

MANY small companies complain that their commercial premises do not fit their needs, according to a survey for the British Chambers of Commerce. Just under half of a sample of 480 companies said that their premises were inadequate. Two in five said this affected their performance, while 32 per cent claimed capacity was being constrained. Richard Brown, BCC deputy director general, said: "For small firms, property can be a critical factor in success... a company's property has a significant impact on its top and bottom line."

Lloyds TSB go-ahead

LLOYDS BANK and TSB have received High Court approval for a scheme of arrangement to complete their planned £13.6 billion merger. They received approval from their shareholders last month and court approval was required to enable Lloyds effectively to reverse into TSB and to distribute new Lloyds TSB shares to its shareholders. Lloyds said yesterday it is expected that the merger will become effective on December 28 and that dealings in the new Lloyds TSB shares will begin on the same day.

ECC names new chief

DENNIS REDIKER is to be the new chief executive of English China Clays (ECC). He will succeed Andrew Teare, who joins Rank Organisation, the leisure group, as chief executive next April. Mr Teare, who succeeds Michael Gifford at Rank, will remain as an executive director of English China Clays until March 31. Mr Rediker, aged 51, is currently president and chief executive officer of ECC International AmPac, based in Atlanta, Georgia. He will move to Britain in early 1996.

US savings bank deal

MARINE Midland Bank, the US subsidiary of HSBC Holdings, has agreed to acquire the East River Savings Bank branch network and deposits, and selected commercial, residential and consumer loans from River Bank America for \$93 million. Marine Midland has agreed to acquire all 11 branches and \$1.1 billion in assets and to assume \$1.2 billion in deposits. The transaction is subject to regulatory approval from the Federal Reserve Bank of New York and the New York state banking department.

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British Gas steps up fight on take-or-pay contracts

By CHRISTINE BUCKLEY

BRITISH GAS geared up its fight against the controversial take-or-pay contracts over which it wrote off £83 million last month, with the appointment yesterday of a chief negotiator to confront the fuel producers.

Kenneth Gardener, once of ICI and currently a director of Charterhouse Bank, begins the tough task of renegotiating the contracts in the new year. The contracts have left British Gas heavily exposed to buying gas at high costs, while the price at which it can sell the fuel on has plunged.

Last month, the company called for state aid to repair the damage meted out by the contracts when it revealed that it had set aside £83 million to

cover losses on the contracts in the first nine months of the year. The losses are expected to climb, and as price keeps rising in gas increases ahead of full competition in the domestic market in 1998, British Gas is anxious to tackle the problem quickly. The company is committed to long-term contracts worth £40 billion.

Mr Gardener, who joins British Gas for an undisclosed sum, said that the challenge was considerable: "The scope of the task is large, as are the interests which have been affected by the contracts, including shareholders and consumers."

Mr Gardener, 68, led the dissolution of the Dunlop/Pirelli union, the liquidation of

Dunlop France and the sale of ICI to Fujitsu - a complex negotiation that took two years to complete.

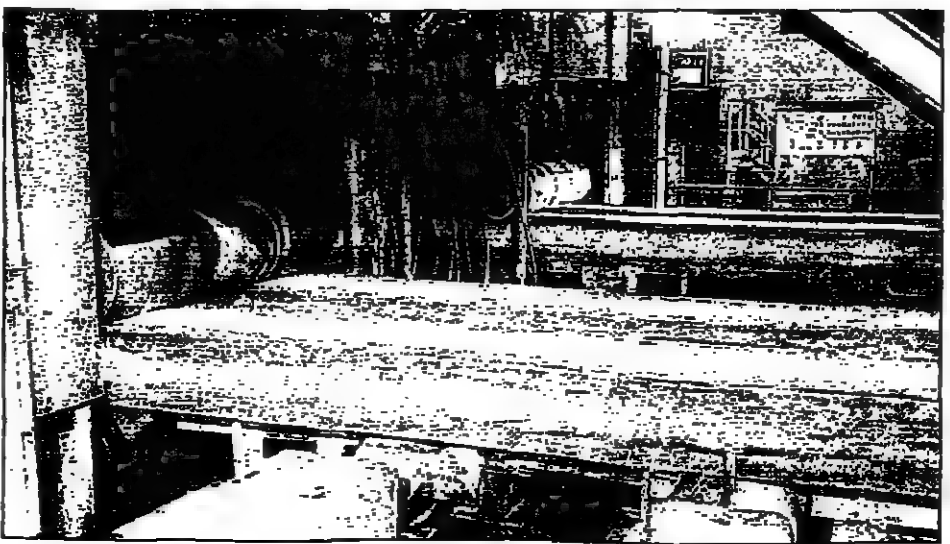
British Gas has contacted the oil and gas producers involved over renegotiating its contracts but has met resistance so far. The Government has made it clear it does not want to intervene and would prefer to see an industrial settlement to the issue.

Mr Gardener's priority will be to approach the producers again but he intends to follow those moves by holding early talks with Tim Eggar, the Industry Minister, and Clare Spottiswoode, the Gas Regulator.

Tempos, page 26

Eggar stands ground on Irish Steel

By CHRISTINE BUCKLEY



British Steel operations could suffer if aid is agreed for a plant in the Republic of Ireland

IRISH politicians returned to Dublin last night after failing to persuade Tim Eggar, the Industry Minister, to back down over Britain's objection to government aid for Irish Steel, which is on the brink of being bought by an Indian company.

Yesterday's visit by the Irish delegation followed protracted negotiations between London and Dublin over the republic's plans to write off loans worth Ir£17 million and to pump more than Ir£10 million into the company to boost production in a deal agreed with Ispat International, the would-be buyer. Ispat condemned Britain for refusing to move on

its veto of the government aid, which requires unanimous EU approval.

Britain's argument is that increased production by Irish Steel's one plant in Cork would jeopardise up to 1,000 jobs in the UK. Four British Steel plants produce the same type of steel, although the most vulnerable would be Shelton in Staffordshire.

Lakshmi Mittal, chairman of Ispat, said the British demands "are designed to bring about the demise of steelmaking in Ireland".

Mr Eggar said that talks would continue.

Pennington, page 25

TOURIST RATES

	Bank Buys	Bank Sells
Australia \$	2.17	2.01
Austria Sch	18.83	15.13
Belgium Fr	48.84	44.34
Canada \$	2.219	2.059
Cyprus Cyp£	0.745	0.690
Denmark Kr	8.22	8.22
Finland Mk	7.25	6.80
France Fr	8.05	7.40
Germany Dm	2.37	2.16
Italy Lira	360	362.00
Hong Kong \$	12.55	11.55
Indonesia Rp	1.02	0.94
Japan Yen	5.1800	4.6400
Switzerland F	255.00	240.00
Netherlands Gld	171.00	155.00
Nepal Nep Rs	0.592	0.587
Norway Kr	1.05	2.410
New Zealand \$	2.51	2.25
Portugal Esc	10.38	9.25
Portugal Esc	34.00	22.50
S Africa Rnd	rat.	3.39
Spain Ptas	188.00	183.00
Sweden Kr	10.67	10.00
Switzerland F	1.92	1.74
Switzerland F	refer	69.00
USA \$	1.00	1.00

Notes for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to traveller's cheques. Rates as at 1.1.80.

□ Cruickshank's plans for the superhighway □ GrandMet's bitter cocktail in the US □ Viking raiders repelled at Amec

Oftel dials the right number

TO Oftel, the "unphoned", as the telecoms regulator calls them, are the undead of the communications revolution. Theirs is a netherworld that is technically part of society but technologically detached from it. In the late 1990s, this is the equivalent of living like a hermit.

Some two million homes lack a basic phone service, but they are not the only concern of Don Cruickshank, the head of Oftel. To his mind, the undead include the 30,000 primary, secondary and special schools. Not only are their basic phone costs too high, they lack the connections and the kit to get on to the information superhighway. He has proposed the introduction of a "universal service fund" that would be collected from all phone operators, administered by a neutral party and used to finance the connection of schools to advanced telecoms networks.

The fund, which would also cover service to people in remote areas and to those with hearing difficulties, might raise £100 million a year and would come into effect after 1997. Its cost, as one would expect, would be reflected in consumers' bills. Cruickshank, in effect, wants to launch a special social responsibility tax to pay for the telecoms needs of the country in the early years of the next century.

The idea has an eerily familiar

ring. Did British Telecom not strike a deal with Labour to feed high-capacity wires into every school in the land in exchange for lifting its home video broadcasting ban? And didn't BT offer to do so for free? That pact was heavily publicised at the Labour Party conference in October, and, as far as anyone can tell, it still stands, although no one has yet put firm costs on it.

Since any new tax robs buying power, consumers might well support BT's freebie and dismiss Cruickshank's proposal as sour grapes. BT and Labour left him out of their superhighway discussions and, no doubt annoyed, he has come back to steal the spotlight with his own version on how schools should be connected.

But consumers should also be aware that BT is a clever beast. Like any other corporate entity, BT's social conscience is most in evidence when it is presented with the opportunity to make a few quid. Of course, BT has offered to connect schools for free. But, in doing so, it would latch on to a vast new market and bring in enormous future revenues. In time, those wires

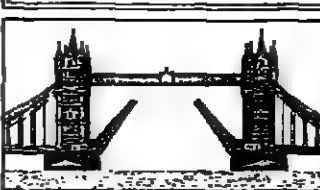
will provide everything from the Internet to interactive services, much of it branded with the BT logo. Any up-front costs might be recouped many times over. It is the telecoms equivalent of those clever offers the banks make to students to hook them into their services for life.

All Mr Cruickshank is doing is throwing the school connections game open to competition. Phone companies would vie with each other to provide the service, and the bidder requiring the smallest amount from the universal service fund would win the contract. Put that way, Oftel's proposals make remarkable sense.

Through a glass darkly

IT IS the classic east European nightmare: who has the right to a company bought in good faith from Russian owners half a century ago? Is Grand Metropolitan justified in calling its best-selling vodka Smirnoff, or has it stolen the famous name, as claimed by the Smirnoff family in the American courts?

PENNINGTON



For GrandMet, the action is horribly like its own Smirnoff advertising, a glimpse through a bottle of the clear liquid making the drinker see everything in a different and more sinister light. The Smirnoffs, descendants of one Pierre Arsenyevitch Smirnoff, who was the last purveyor of vodka to the court of the Czars, want the family name dropped from GrandMet's bottles and their coat of arms, medals and family history wiped from the label.

In a final swipe, they claim that GrandMet's advertising for Smirnoff is misleading. The family says that in 1980, when Russian scientists at the Soviet Ministry of Food Industry tested the recipe passed down through

the family, it was "found to be virtually useless and ... not a basis for producing vodka".

GrandMet says the claim is frivolous. But the history of Smirnoff is obscured by the upheavals of 20th century eastern Europe. The family business, started in 1860, was halted by the Revolution. In 1933, the company was sold by one of the founder's sons, Heublein, now owned by GrandMet, bought it in 1939.

The Smirnoff family insists that the sale was invalid. Sibling rivalry had caused the sale of a company the vendor did not own, because another son was, in fact, sole owner. The Soviets began the legal offensive, winning concessions in a German court in 1985 that obliged Smirnoff to drop, among other things, the Cyrillic lettering on its label. The Smirnoff family then won a decision in a Russian court that GrandMet's trademarks were "completely invalid".

If the family wins, GrandMet will have to drop its Smirnoff label and pay triple punitive damages — this is the US, of course. In the meantime,

GrandMet has launched the inevitable counter-claims in Russia. But at this stage, no one is drinking to victory.

Building faith

WHAT a tease those Norwegians are. There we all were, glued to the screens for the result of a bitter if rather short and small-scale takeover battle, and just as the 5pm deadline elapsed those same screens lit up with news from Kvaerner, locked in combat with the builder Amec.

It was only some tosh about launching satellites from the Pacific, of course. It took the Norwegian shipbuilder another 45 minutes to admit, against all expectations, that its £360 million bid had failed. The small shareholders who hold 20 per cent of Amec had, as expected, stayed loyal. But so too had the City institutions, including PDM with 14 per cent.

Few things are predictable on the stock market, but a sharp plunge in Amec's share price this morning looks like one of them.

The shares closed last night, ahead of the announcement, at 93p, against a trading range of 50p to 60p before bid speculation started. Little since, then has encouraged much faith in prospects for the building industry — quite the opposite, from both Higgs and Hill and the unholy mess reported by Trafalgar House on Friday.

The Norwegians had made ominous noises about walking away if the bid failed and dumping their shares on the market. But it is hard to see many takers for their 26 per cent stake. The assumption must be, and this probably explains the City's surprising faith in Amec's management, that they will come back whenever they are allowed with a rather better price for the company than the £1 on offer this time around.

Steeling away

BRITISH STEEL produces about 16 million tonnes of the stuff a year. That other giant of the world steel industry, the Haulbowline plant in Co Cork, turns out less than a quarter of a million tonnes. The French and Italian producers have already driven a coach and horses through the EC legislation over state aid. British Steel is in danger of looking rather petty in balking at a more modest Irish pony and trap.

Cadbury's £108m deal to buy back Toronto business

By SARAH BAGNALL

CADBURY SCHWEPPE'S, the chocolate and drinks company, has been propelled into the number one slot as Canada's biggest confectionery business after acquiring Neilson Cadbury for £108 million in cash.

As a result of the deal Cadbury Schweppes is regaining ownership of a business that it sold eight years ago.

Cadbury sold its chocolate manufacturing business to George Weston in 1987 and licensed its brands to the Canadian company in return for royalty payments. The price at which Cadbury sold the business, together with the royalty payments, equates to £38.4 million in present day terms.

The purchase of Neilson

Cadbury, Canada's leading chocolate bar company, follows Cadbury Schweppes' acquisition in June of Allan Candy, the market leader in the sugar confectionery market.

The latest deal, which is subject to regulatory approval, makes Cadbury Schweppes the biggest confectionery company in Canada with 24 per cent of the market, usurping Warner Lambert, the chewing-gum manufacturer, which previously occupied the number one slot.

Cadbury Schweppes' strategy is to expand in to developing markets, such as Russia, as well as to increase its presence in key mature markets. Canada is the 11th largest confectionery market in the world.

John Sunderland, managing director of Cadbury Schweppes' confectionery business, said: "The acquisition in Canada adds 40,000 tonnes to our global volume and brings market leadership in an important market."

Neilson Cadbury comprises three businesses: George Weston, William Neilson and Cadbury Canada Marketing, which was the licensing vehicle for the Cadbury brands.

The purchase price compares to Neilson Cadbury's net assets of £34 million, valued in December 1994. The company made a pre-tax profit of £4.9 million in 1994 on sales of £109 million.

The Toronto-based company has a strong portfolio of brands that include Caramilk, Crispy Crunch, Mr Big, Crunchie, Wunderbar, Jersey Milk and Choclairs. It employs 850 people.

Cadbury Schweppes said that the acquired business will be managed separately from the existing sugar confectionery business, but that it would be seeking cost savings in logistics, distribution, purchasing, research and development, as well as systems and administration.

A spokesman for the company said that it was too early to tell whether there would be job losses. The sugar confectionery business is based in Hamilton, Ontario, about 50 miles outside Toronto.

The shares rose by 1p to close at 547p.



Three of a kind: from left, Kunick's Russell Smith, Clive Clague and John Jones have had to contend with poor growth in the gaming machines market

Kunick far from amused

FRUIT machines paid out modest winnings for Kunick, the gaming machine group, which is tackling sliding activity in machines operating in pubs by separating its businesses (Christine Buckley writes).

In Britain, Kunick joined the chorus of complaints against the National Lottery and claimed that its scratchcards had exacerbated the decline in the UK pub market demand for amusements, which has shown little growth over the past year.

In France, where the York-

shire company has another strong presence in gaming machines, business was hit threefold. Kunick had to contend with poor consumer spending, the operation of illegal gaming machines and the low appeal of pinball machines, which the company distributes.

Kunick warned it saw little sign of recovery in the French market, but the specialisation of its businesses in the UK has

enabled Kunick to crank up its market share and bolster its market leader position. It enjoys with more than 10 per cent of the market. The figure is more than 40 per cent if managed pubs are included.

The company has three main arms for its one-armed bandit operations in the UK - MHG Services supplies customers with a number of managed outlets, Bell Fruit Services concentrates on inde-

pendent pubs and clubs and Three Service Automats mainly supplies military establishments.

Kunick is hopeful of a better return from its machines in the UK in the coming year after the relaxation of the gaming rules which has raised the cash payouts possible on machines.

In the year to September 30, Kunick raised pre-tax profits

to £12.2 million from £9 million. However, this figure was flattered by a £3.9 million gain made when the company sold half of its French care homes business in January. It is now continuing that business as part of a joint venture. Discounting exceptional items for both this and the previous year, pre-tax profits climbed 16 per cent from £7.1 million to £8.3 million.

The final dividend, payable March 13, was put at 0.35p, lifting the total by 20 per cent from the previous year to 0.6p. *Tempus, Page 26*

Federation ends as C&W goes for a different label

By ERIC REGULY

CABLE and Wireless, in a public relations and marketing reversal, has decided it no longer wants to be known as a "federation" of companies. After the new year, it will call itself a group.

A spokesman said the change is being made because of the confusion surrounding the federation label, which was adopted in an attempt to give a succinct description of a company with operations in 50 countries.

The City and shareholders were never sure whether federation was a strategy, an alliance or an operating approach. Neither, apparently, did Lord Young and James Ross, who were ousted from the company's top two management positions in November. Analysts said they were never able to define clearly what federation meant.

The spokesman said that abandoning the label will not necessarily lead to a change in strategic direction. C&W's fundamental approach — starting companies around the world then either operating them or selling them once they become established — will stay in place.

Calling C&W a "group" will involve some expense because "federation" was used in much of the company's promotional literature.

Separately, the company announced that Rod Olsen, finance director, has agreed to become acting chief executive. Mr Olsen is a member of the board committee charged with finding a new chief executive. That task is expected to last until the spring.

Installing Mr Olsen, a New Zealander, will require making changes to the articles of association. Under the current articles, the chief executive must be a British citizen if there is no executive chairman. Lord Young was executive chairman, but the company has decided to eliminate the position and replace him with a non-executive chairman.

City Diary, page 27



Rod Olsen: new post

Hard-hit Gus Carter denies takeover talks

By MARTIN BARROW

GUS CARTER, the bookmaking company based in the North East, has moved swiftly to deny that it is in talks which could lead to a takeover bid by Stanley Leisure, its fellow betting group.

Talks have taken place between the companies but no firm offer has been made to the board of Gus Carter, the company said yesterday.

Gus Carter shares were placed on the stock market at 80p a share in May. Yesterday the shares rose 3p to 83p. The statement was aimed at

ending rumours that Gus Carter, one of this year's least successful floatations, was set to be taken over as part of the consolidation now under way in the industry.

Competition from the National Lottery has been blamed for a slump in business across the betting industry, from which Gus Carter has not escaped. In October, the company said that trading continued to disappoint, particularly as a result of the launch of the lottery scratchcard, and profits were lower, year-on-year.

T&L expands in Canada

TATE & LYLE, the British sugar producer, is investing £35 million (£16.5 million) to expand production at the Toronto refinery of Redpath Sugars, a subsidiary, increasing capacity 75 per cent. This comes after a ruling by the Canadian International Trade Tribunal on dumping of sugar in Canada.

Andrew Ferrier, president of Redpath, said: "We are very pleased by the ruling and this investment demonstrates our commitment to customers and our long-term confidence in our business."

American Brands nets Cobra Golf

FROM A CORRESPONDENT

AMERICAN BRANDS has acquired Cobra Golf, the US manufacturer of golf equipment, for \$700 million, with a view to merging the business with its own Titleist and Foot Joy brands.

Debt-free Cobra had sales of \$124 million in 1994. Thomas Hays, chairman of American Brands, said that the Cobra acquisition will add to its earnings in 1997. There would be no dilution in earnings in 1996, he said.

The boards of directors of both companies have unani-

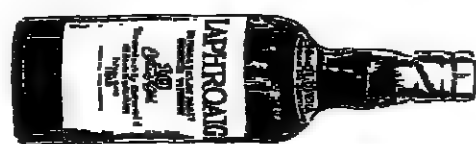
mously approved the transaction. A cash tender offer by American Brands is expected to start no later than December 22 for all of Cobra's outstanding common shares at \$36 each, followed by a cash merger at the same price.

Mr Hays also said American Brands is on track towards achieving better 1994 operating results. "We are on target to achieve our projections, that earnings per share for the year will be up more than 17 per cent on an ongoing basis from 1994."

LOVE {

there is NO in between

} HATE



LAPHROAIG no half measures.

Uncertainty strikes on both sides of Atlantic

SHARE prices on both sides of the Atlantic blew a fuse as the deadlock over the Federal budget came back to haunt investors in the run-up to Christmas.

The news that President Clinton was meeting congressional leaders, in an attempt to find a solution to the budget impasse, provided the signal for a sharp opening fall on Wall Street, where trading had already been delayed an hour because of a computer breakdown.

At one stage, as the Dow Jones average plunged almost 90 points, traders must have thought they were witnessing a rerun of the Black Monday crash in 1987. The situation was aggravated by heavy trading on Friday that greeted the triple witching hour and the expiry of the cash futures and options.

The FT-SE 100 index, which had drifted in thin trading for much of the day, suddenly found itself nursing a fall of 50 points before closing 46.5 down at 3,596.1.

Today all eyes will be focused on the Federal Reserve Open Market Committee (FOMC) meeting with brokers worried that the continued deadlock over the budget will undermine any possibility of a cut in US rates. Brokers in London see a cut as essential if their market is to make further headway.

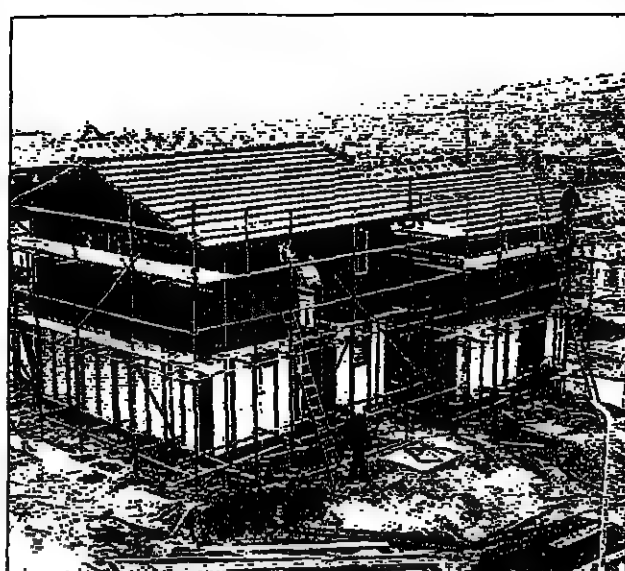
Philip Inverwood, equity market strategist at Kleinwort Benson, the broker, is not too perturbed by yesterday's sharp fall.

He says: "There are two pieces of uncertainty. The Budget and interest rates. The market doesn't like uncertainty and is going down between the two of them. The market would like one of the uncertainties clarified."

Despite the sharp falls in London, business remained low key, with only 622 million shares changing hands by the close.

Worst hit were the international companies with strong dollar-related interests. BOC Group fell 10p to 896p, Courtaulds 12p to 380p, RMC Group 21p to 893p, SmithKline Beecham 'A' 18p to 671p, and Thorn EMI 21p to 615.6p.

Airtours, Britain's biggest package tour operator, stood out in a falling market with a rise of 13p to 365p. A total of 722,000 shares were traded in a thin market, where traders



Gloom from Raine the builders saw its shares static

will normally make a price in 10,000 at a time. Much of the buying was speculative amid vague whispers that a possible takeover of the company may be on the way.

Later today, First Choice, the Airports rival, unveiled full year figures. Only last month it issued a profits warning, forecasting that pre-tax profits were set to tumble from £16

Canada's George Weston £108 million for its Neilson Cadbury subsidiary. Through Neilson Cadbury it will now introduce its global brands to Canada. Cadbury Schweppes ended up 1/2 p at 547p.

Another takeover favourite Royal Bank of Scotland, dropped 23p to 585p, after going ex-dividend and announcing it was merging its

down 18p at 980p. James Capel, the broker, remains unimpressed and has been telling clients to switch into Barclays, down 14p at 756p.

RTZ lost an early lead to finish 2p easier on the day after reports that its proposed merger with CRA, its 49 per cent owned associate, may be blocked by the Australian authorities. Apparently, the Canberra Government is demanding certain conditions are met before the £14 billion merger can be given the green light. One of these is expected to include the demand that at least one-third of the board should be Australian.

Still no joy for the housing sector, with Raine warning that sales during the first half would be down by around 25 per cent. Roy Barber, chairman, said prospects for 1996-97 are not encouraging. The shares marked time at 14p.

Another company moaning about the impact of scratch cards is Kunick, the amusement machines and nursing homes group, which ended the session 1p lower at 23 1/2 p. The group said that a combination of hot summer weather and the scratch cards had resulted in an unbalanced competitive environment.

GILT-EDGED: Last week's strong performance petered out, reflecting weaker performance on overseas bond markets. Prices opened lower, and drifted gently throughout the day before falling sharply during the last hour of business as US Treasury bonds came under fresh selling pressure.

The Public Sector Borrowing Requirement was higher than expected but did not generate any fresh weight of sellers. Most investors are now awaiting the outcome of the FOMC meeting.

In the futures pit, the March series of the Long Gilt closed near its low of the day with a fall of 1/2 at £110 1/4 as a total of 35,000 contracts were completed.

In the cash market, Treasury 8 per cent 2009 also fell £1 1/2 to £103, while at the shorter end Treasury 8 per cent 2000 was £7 1/4 down at £105.

NEW YORK: Fears that the Fed would not be able to ease interest rates soon and worries over the technology sector hit shares on Wall Street. By midday the Dow Jones industrial average was 66.84 points lower at 5,109.89.

MAJOR INDICES

New York (midday):
Dow Jones 5109.89 (-66.84)
S&P Composite 609.66 (-6.68)

Tokyo:
Nikkei Average 19311.08 (-35.47)
Hang Seng 9806.58 (-52.07)

Amsterdam:
DOW Jones 474.25 (-2.94)
AO 2207.10 (-13.7)

Frankfurt:
DAX 2266.19 (-18.58)
SME 2200.54 (-2.57)

Brussels:
General 8327.58 (-28.54)
CAC 40 1820.47 (-38.78)

Zurich:
SFA Gen 702.70 (-8.00)

London:
FT 100 3596.1 (-46.5)
FT 100 Mid 3596.1 (-46.5)
FT 100 A 3596.1 (-46.5)

FT 100 Euronext 100 1465.72 (-9.42)
FT 100 All-Share 1762.82 (-17.52)
FT 100 Financials 1899.52 (-13.77)

FT 100 Industrials 1149.00 (-9.05)
FT 100 Govt Secs 95.93 (-0.17)
S&P 500 609.66 (-6.68)

SEAD Volume 129,800
USM (Dow Jones) 69.20 (-0.90)
US\$ 1.5385 (-0.0008)
German Mark 2.2031 (-0.0078)

Exchange Index 62.5 (-0.3)
Bank of England official close (4pm)
EBCU 1.1778
RPI 149.8 Nov (3.1%) Jan 1997-100
RPI 149.8 Nov (2.9%) Jan 1997-100

RECENT ISSUES

Abstract H1 Inc C (100) 96% ...
Arion Props 9 ...
BZW Equities (306) 290 ...
Benfield & Rea 105 ...
CMG (290) 300 ...
Cash Converters Intd 24 ...
Com de Part Fin 510 ...
Corrworth (150) 151 ...
Cox Insurance 110 ...
Dimebank 87 ...
East Surrey NV 448 ...
Fins Tech Trust (100) 101 ...
Gardiner (1) 154 ...
Geared Income C 98 ...
Goshouse Cp (200) 203 ...
Jasmin 83 ...
London Town 80 ...
Munich & O'Seas 27 ...
Martin Curry Jn 97 ...
Martin Curry Jn Ws 35 ...
National Grid (204) 200 ...
Nepel Thripes (200) 21 ...
Pact 36 ...
Revelation Pte 100 ...
Troader 47 ...
Viewline 135 ...
Wilmington 67 ...

RIGHTS ISSUES

Dnase Hse n/p (110p) 1% ...
Metros n/p (31p) 1% ...
Roxspur n/p (3) ...
TBI n/p (50) ...
The TV Cnp n/p (97) 5 ...

MAJOR CHANGES

RISES:
Woodside 343p (+19p)
Photobank 325p (+15p)
Next 468p (+17p)
Airtours 365p (+13p)

FALLS:
Bank Scotland 284 1/2 (-22p)
MAID 232p (-16p)
Scots 558p (-31p)
Telecom 842p (-44p)
Reid's 740p (-12p)
HIV Group 292p (-10p)
Regent Inns 664p (-21p)

Closing Prices Page 29

TEMPUS

Ringing up Baby

IN 1984, the American government dismantled what was probably the most successful utility monopoly in the world by forcing AT&T to divest itself of 27 local telephone companies. Thus, the seven Baby Bells, which were scarcely diminutive, were created, and while remaining monopoly suppliers in their regional fiefdoms, proceeded to raise charges to local customers who once enjoyed free calls. Meanwhile, long distance traffic was carved up among three giants: AT&T, MCI and Sprint.

Today, the American Congress is contemplating an about-turn which would permit the Baby Bells to compete on long-distance traffic while allowing the likes of AT&T to enter the local call market. This development is believed to have spurred Bell Atlantic and Nynex into merger talks, raising the prospect

of a mega-phone company servicing New York and Washington DC and thereby controlling a third of long-distance traffic.

This is not just another humdrum American battle between supporters of local and national interests. The regulatory change could have international consequences. Cable and Wireless is keen to expand its relatively weak American base by linking up with a Baby Bell. C&W's patchwork quilt of investments causes it problems but it is a rare bird in the telecoms world by possessing a genuinely international franchise.

Once the Baby Bells go national, they will certainly want to grab a share of the international market and they will need a partner to enable them to compete. Moreover, a merged Atlantic Bell and Nynex would not find C&W too big a mouthful to swallow.

Kunick

THE French are unhappy and the British are glum: too sober, it seems, even while partaking of a pint or two in a pub, to sink a few bob in a fruit machine.

Kunick, the gaming machine group with investments on both sides of the Channel, has joined a myriad of leisure groups in levelling accusations against the National Lottery. Kunick is battling against sloth in the amusement market at home and a handful of other problems in France. Yesterday, it joined the anti-lottery brigade and accused the popular scratchcards of trading on its patch.

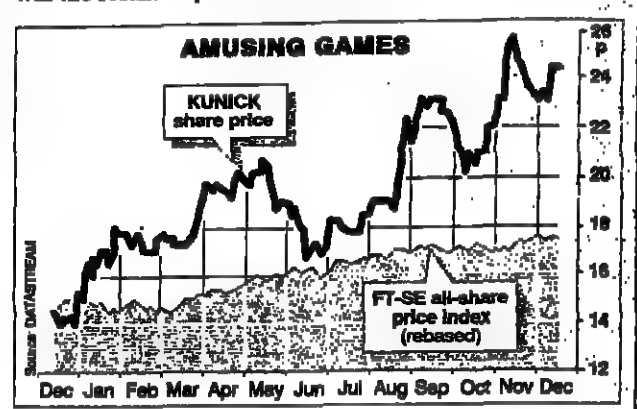
Kunick has not, however, been caught on the hop. A few years ago, it began streamlining its businesses at home to suit a contracting market. Specialisation has

become central to the company's plans, and with three separate gaming machine divisions, it has been able to consolidate its position as market leader.

The 50 per cent sale of its interest in French care homes — a prelude to a complete disposal — will further focus the business: as will the recent acquisition of

Relaxation, a company that manages local authority leisure facilities.

Kunick can also look forward to bigger payouts from gaming. The Government's relaxation of the gaming laws to allow greater cash payouts on machines should entice some punters away from their obsession with scratchcards.



British Gas

BRITISH GAS evidently regards take-or-pay contracts as a thornier problem than directors' service contracts. While the latter could be easily agreed over a boardroom lunch, thrashing out a deal with some irate oil companies could be a more delicate matter. BG has decided to hire outside help.

When BG's negotiator walks into the smoke-filled room, he will be brandishing a carrot and a stick. There is still no sign that big oil is prepared to bear the cost of the collapse in the gas price caused by the Government's decision to open up the gas market. However, there are already signs of division in the ranks with the Americans showing more resistance than their British counterparts, and BG will attempt to bring companies like Shell to the table with the promise of a favourable deal: the early bird catches the worm.

BG also has a potential

weapon. It will soon have down its gas supply contracts into a special trading subsidiary. Curiously, the legislation does not require that the company be supported with a guarantee from its parent.

Doubtless, BG will provide it with enough capital to pass the DTI's health check but longer term, who can tell how committed it will remain to a business that is shrinking by the day. The victims in this scenario could be smaller foreign oil companies who contracted in good faith and are now being bludgeoned by a desperate BG and its cynical sponsor: the British Government.

Chiroscience

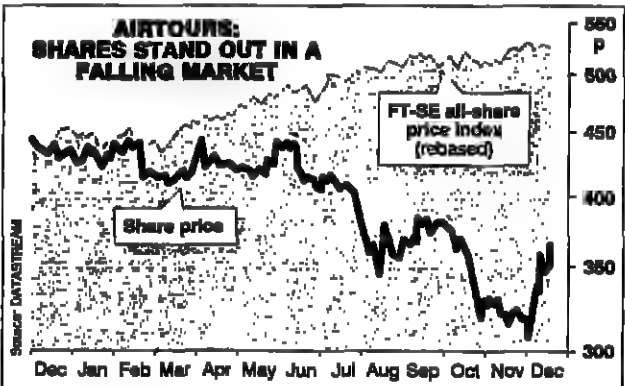
CHIROSCIENCE has been priming the market with the promise of news and dribbling it out at regular intervals. A development agreement with Pharmacia sent the shares soaring earlier this year, followed by approval in Spain for a new version

of a painkiller. The shares have climbed 250 per cent this year but the market worth of the company is still founded on goodwill.

Yesterday's deal with Medeva was interesting, not for the news but because it caused Chiroscience shares to fall. The agreement involves collaboration on a new product, with Medeva taking the lion's share of both cost and profit.

The market finds the trail of news from biotech companies tantalising but ultimately unsatisfying. Chiroscience's strategy of undertaking work for larger companies is sensible — since it lowers risk — but so far has delivered little to enable shareholders to value the company more accurately. Biotech shares have reached such heights this year that their directors may be tempted to raise cash from the issue of new stock and investors should beware.

EDITED BY CARL MORTIMER



COMMODITIES

LONDON COMMODITY EXCHANGE			
Dec	Jan	Feb	Mar
Dec 95	97.47	97.47	100.100
Jan 96	97.47	97.47	100.100
Feb 96	97.47	97.47	100.100
Mar 96	97.47	97.47	100.100
Apr 96	97.47	97.47	100.100
May 96	97.47	97.47	100.100
Jun 96	97.47	97.47	100.100
Jul 96	97.47	97.47	100.100
Aug 96	97.47	97.47	100.100
Sep 96	97.47	97.47	100.100
Oct 96	97.47	97.47	100.100
Nov 96	97.47	97.47	100.100
Dec 96	97.47	97.47	100.100
Jan 97	97.47	97.47	100.100
Feb 97	97.47	97.47	100.100
Mar 97	97.47	97.47	100.100
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Oct 99	97.47	97.47	100.100
Nov 99	97.47	97.47	100.100
Dec 99	97.47	97.47	100.100
Jan 00	97.47	97.47	100.100
Feb 00	97.47	97.47	100.100
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Apr 04	97.47	97.47	100.100
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Aug 04	97.47	97.47	100.100
Sep 04	97.47	97.47	100.100
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Nov 04	97.47	97.47	100.100
Dec 04	97.47	97.47	100.100
Jan 05	97.47	97.47	100.100
Feb 05	97.47	97.47	100.100
Mar 05	97.47	97.47	100.100
Apr 05	97.47	97.47	100.100
May 05	97.47	97.47	100.100
Jun 05	97.47	97.47	100.100
Jul 05	97.47	97.47	100.100
Aug 05	97.47	97.47	100.100
Sep 05	97.47	97.47	100.100
Oct 05	97.47	97.47	100.100
Nov 05	97.47	97.47	100.100
Dec 05	97.47	97.47	100.100
Jan 06	97.47	97.47	100.100

THE TIMES

CITY DIARY

Olsen looks for approval

FOR a company with such an international spread of interests, it is a surprise that Cable and Wireless has never had a non-British chief executive before.

Yesterday's promotion of Rod Olsen, a New Zealander, to be acting chief executive follows the departure of both Lord Young of Graffham, chairman, and James Ross, chief executive on November 21.

Olsen's job needs shareholder approval and a change in the company's articles of association. At the moment, the executive chairman or, if there isn't one, the chief executive, must be a British citizen. C&W grew by cabling together the far-flung British empire and until 1934 was called Imperial and International.

Face in crowd

IN THE January edition of *Business Age* — out this week — one face shines out of its review of corporate winners during 1995. It is that of Peter Davis, the lottery regulator at the centre of a hospitality and free flights storm. Still grimly clinging on to his job last night, Davis, the £84,000 a year regulator, is flanked by Sir Ron Dearing, former chairman of Camelot, and Tim Holley, the chief executive. The magazine says the success of Camelot, which has a seven-year licence to run the National Lottery, has been too conspicuous.



"The Government is even more overpaid than you are!"

Debased coinage

PANMURE GORDON'S "name that common currency" competition attracted about 50 entries, the less scatalogical of which it has published for its clients. Steve Inkley, of Dican, wins a bottle of champagne for his entry. Take the first part of dollar and add the end of the mark and you get a complete Dork. Honourable mention went to Mirage, reflecting, as the chaps at Panmure put it, the dream-like futility of the idea. Another favourite was Ecto as in "by heck, you must be joking". Gas and hot air featured in many another entry. Montgolfier was popular but the judges preferred Zeppelin because of its disastrously short life expectancy. Euro doesn't really have the same ring, does it?

Seeing red

EITHER because of the Russian elections or the size of this year's Christmas bonuses, the City has rediscovered an interest in art of Russia and the former Soviet Union after a break of three years. The West End art dealer Roy Miles, of Bruton Street, is currently exhibiting more than 200 works, after a visit to Georgia, Minsk, and Siberia. The red sale stickers on so many paintings have forced him to bring out the reserve collection.

Déjà vu

REMEMBER the Eighties, when markets always seemed to crash in the autumn. Fewer remember that markets tend to break down in December. Yesterday's one-hour opening delay on Wall Street came almost five years to the day from the last such incident on December 20, 1990.



Sir Ron Dearing, centre, who was chairman of winning Camelot



Anthea Turner, face of draw



Lord Young and Richard Branson failed to convince voters

When battling Branson failed to hit the jackpot

Jon Ashworth looks back on the bid by the Virgin chief and partners to run the National Lottery

Richard Branson never came remotely close to winning the National Lottery licence, in spite of widespread public support for his vision of a non-profit making lottery operator. An independent report by the National Audit Office (NAO), published in July, ranked Mr Branson fifth in a field of eight in terms of revenue expected to be generated for good causes.

Camelot emerged as the clear winner in a report that hailed Peter Davis's role in vetting applicants as "comprehensive, consistent, logical and properly controlled". Security arrangements surrounding the evaluation process were "rigorous". The NAO declared that Mr Davis, in his capacity as Director-General of Oflot, had done a sound job in assessing the bids — a view that has been sorely tested by events of the past week.

The contest for the licence was closely fought — and ended as a three-horse race. Camelot, boosted by the technical might of GTEch, the world's biggest supplier of online lottery products and services, emerged as the most attractive applicant by a significant margin. Camelot was forecast to contribute £6.8 billion to the National Lottery Distribution Fund (NLDF), once factors such as the number of retail outlets, game structure and marketing spending had been taken into account.

The second prime contender was the so-called Rothschilds bid, codenamed "Copenhagen" during the licence-bidding round. NM Rothschild, the merchant bank, teamed up with Tattersall's, an Australian lottery operator, to create an organisation that was forecast to raise up to £6.6 billion for the NLDF.

The bid had an influential front-man in Anthony Fry, the Magdalen-educated Rothschild director, who at Oxford always aimed for a career on the Conservative backbenches.

Third in the frame was the Rank Organisation, code-

named "Nairobi" by the vetting team, and long considered a dark horse in the race for the licence. Rank's consortium, LotCo, was financed by eight UK institutions, and fronted by Sir John Hoskyns, chairman of the Burton Group.

Technical clout was provided by Automated Wagering International (AWI), which runs several American state lotteries, and is GTEch's main business rival. Arthur Andersen was also on board. LotCo was rated top of the list in terms of raw contribution to the NLDF, but its estimated contribution slipped to about £6.1 billion once other factors had been considered.

Fourth slot went to the Great British Lottery Company, widely seen as one of the prime contenders to win the licence. It had an influential non-executive director in Lord Kingsdown, the former Robin Leigh-Pemberton, and was backed by five UK power players: Associated Newspapers, under Sir David English; Carlton Communications, led by Michael Green; Granada, steered by the expansionist Gerry Robinson; Hambros, with Sir Christopher Spoor as the main player; and Vodafone, led by Sir Ernest Harrison. The bid, codenamed "Madrid", was forecast to contribute £6 billion to the NLDF.

Mr Branson's bid, codenamed "Oslo", was hailed as the bookies' favourite, but limped in a paltry fifth, with an estimated contribution to the NLDF of less than £5.7 billion. His UK Lottery Foundation had powerful trustees

in Lord Young of Graffham, the former Trade and Industry Secretary, Lord Tonypan and Lord Whitelaw, but it was unable to convince Mr Davis and his vetting team that it was able to deliver. This was not for lack of enthusiasm from Des Wilson, the veteran campaigner and left-wing activist, who presided over a slick public relations campaign. William Hill, the bookmaker, put the Branson bid as favourite at 6-4, followed by Camelot at 5-2 and LotCo at 3-1.

Rumours persisted at the time that the UK Lottery

closed on February 14, 1994 — a wintery St Valentine's Day. Camelot was declared the preferred candidate on May 25.

Mr Branson's controversial lunch with Guy Snowden, co-chairman of GTEch, provided the ammunition for the fire-fight that erupted a week ago, when the Virgin entrepreneur alleged on the BBC's *Panorama* programme that Mr Snowden had tried to bribe him to stay out of the lottery race. GTEch responded by calling the allegation an "evil smear", prompting Mr Branson to launch an action for defamation.

Mr Branson and Lord Young genuinely believed in the merits of their non-profit making lottery vision. They were willing to put £200 million of their own money towards guaranteeing leases and bank debts, and predicted that their "not-for-profit" rallying cry would bring in hundreds of millions of pounds extra for good causes.

Mr Branson argued passionately that his bid's charitable status would encourage more people to play, perhaps adding as much as £1 billion a year to lottery turnover. But analysis of Mr Branson's bid told a different story.

The other contenders put on a brave face, but had little realistic chance. Last past the post were the Enterprise Lottery Company, backed by GEC, Thorn EM1 and the Tote; Games for Good Causes, chaired by Sir Christopher Benson, and supported by Ladbroke and MAF; and Rainbow, headed by Sir Patrick Sheehy, chairman of BAT, and Richard Wheatly, then chair-



Peter Davis, the regulator, vetted applicants

Foundation bid had been thrown together at the last minute, although Mr Branson's admission that he had been sounding out potential technical partners as far back as October 1993 suggests a more orchestrated approach. In the event, Mr Branson opted for the technical expertise of IBM, the computer giant, backed up by the marketing talents of Mars Confectionery and the advertising skills of J Walter Thompson. The application for the licence to run the weekly online game (under Section 5 of the National Lottery etc Act 1993)

Beauty and brawn return to top the Christmas toy lists

Last year it was the karate-kicking Mighty Morphin Power Rangers that every cool kid had to have. This year, they have been knocked off the top by two old favourites.

Welcome Action Man and Barbie. As far as boys are concerned, Action Man, the lean, mean fighting machine that first adorned shop windows in 1966 is a must this Christmas. Meanwhile, girls are clamouring for a 36-year-old plastic doll with long blonde hair and vital statistics that defy reality.

The emergence of the two old-timers at the top of Christmas shopping lists was unexpected. But predicting the latest juvenile hit is no easy task, given the fickle tastes of children. Each year, manufacturers of the best-selling toys are caught by surprise as demand races ahead of supply.

One feature in recent years is that the best-sellers have been spin-offs from a successful television series or film. The Power Rangers craze was triggered by the success of a children's television series while the previous year's rage for the pizza-loving Teenage Mutant Ninja Turtles followed a successful cartoon series and film.

True to form, the best-selling Barbie this Christmas is Baywatch Barbie, a lifeguard version of the plastic doll that looks uncannily like the real-life stars in the television series. Dressed in a red, cut-away swimsuit, the curvaceous doll retails at about £12. "Baywatch Barbie is huge," says a spokesman for Woolworths.

Barbie accessories are also selling fast. A spokesman for Argos, Britain's biggest toy retailer, says the most popular product is the Barbie Picnic Van, a 4x4 vehicle that opens out and contains picnic items such as table, chairs, and a hamper. And all for £24.75. Hasbro, maker of Barbie's rival, is seeing a roaring trade in *Sindy's* 4x4 Explorer. For the price of £49.99, *Sindy* has the luxury of a multicoloured

Sarah Bagnall on how Barbie and Action Man have become favourites for Santa's sack this year



Hello dolly: Barbie, the top toy for girls

vehicle that transforms into either a speed boat with skis, a kitchen and living area or a viewing tower.

In contrast, demand for Action Man does not come from a television programme or film. Instead, its popularity is thought to have more to do with parents than their children. A spokesman for Hasbro, manufacturer of Action Man, says: "Action Man is popular because boys who had one when they were little are now fathers and because they liked it

they are now going out and buying it for their youngsters."

The spokesman at Argos agreed: "Parents want their kids to play with what they played with." The same argument is applied to Barbie, although few mothers readily admit to being Barbie fans.

According to statistics from MFD, a market research company, of the top ten selling toys this Christmas Action Man fills seven of the slots. Action Man's helicopter with rotating blades, gun-fire, air-powered missiles and sound effects, tops the list at £38.50. "They are flying off the shelves. We are having to work hard to keep up with demand," says the Hasbro spokesman. In second place is Action Man's jeep with last year's top toy, Power Rangers, in third place. "Power Rangers are still going strong. It is unusual for a product to be around for so long," says the Argos spokesman.

Another factor driving the popularity of toys is the increasing desire of parents to reduce the amount of time their children spend watching television. This is thought to have increased the popularity of traditional activity toys, such as Monopoly and Lego, while reducing demand for video games.

Retailers talk of strong trade in Aquazone Lego, which at £60 a set boasts a whole underwater world, and Bubbie Loo Bird, a hairy, brightly coloured puppet. The video games market has shrunk in recent years but is still significant in size. While sales of games may not be thriving, retailers are experiencing healthy sales of new hardware, such as the Sony Play Station and the Sega Saturn. Sales of the Play Station are said to be thriving despite a hefty price tag of about £300.

But this is the year of Barbie and Action Man — although I hope Barbie's success won't tempt her to leave reliable Ken for the more exciting, macho Action Man.



ANATOLE KALETSKY

The winners and the loser

The pious thing to say when a long strike is over is that "there have been no winners — only losers". In the case of the strikes which ended yesterday in France, this cliché must be reversed. Here we had a strike in which everybody won and nobody seemed to lose.

The clearest winners were, of course, the striking railmen and public servants, who secured every one of their main sectional demands: retirement at 50; preservation of rail services; an end to privatisation; the sacking of the SNCF chairman; negotiations on social conditions with Alain Juppé which the Prime Minister had categorically rejected only two weeks ago. And many more concessions from the Government can confidently be expected in the coming months. Not since the winter of discontent in 1978-79 in Britain have trade unions in any leading industrialised country achieved so much by going on strike.

The French Government, too, seems to have come out a winner. It can claim that its many concessions had not affected the health reforms and tax increases which made up the core of its plan to reduce the budget deficit to within the Maastricht targets programme. If there are no further strikes and concessions (a big "if") and if the economy now starts to grow strongly in line with official forecasts (an "if" of elephantine proportions), France will be ready for European Monetary Union in 1999. And if those implausible conditions are not satisfied? That is another question for another time.

Now let me turn to the third group of winners in this unusual battle. I refer to the financial speculators, foremost among them George Soros. Mr Soros, the world's most famous "financial and philosophical speculator", must be delighted with the way things have turned out. I have no idea whether Mr Soros made or lost money on France last week. But his philosophical ideas (which he prizes more highly than mere billions of dollars and which are now used by most speculators around the world) certainly won another great victory.

The core of the Soros philosophy is the "theory of reflexivity" which he invented in the 1970s to explain the interaction of politics, economics and the financial markets. This theory has bewildered the readers of his bestselling books who had been hoping to pick up simple investment tips. After the events in France, however, everybody should be able to see what Mr Soros means and why reflexivity really can help to understand the world of politics, as well as to make money in financial markets. The Soros theory holds, in its simplest form, that the normal rules of economics and politics can be turned upside down in a situation where financial speculators' perception of "economic and political reality" is itself a critical part of that reality and therefore shapes events. France last week offered the clearest possible example that reflexivity really does work.

I indeed one can say that "reflexivity" is the only possible explanation of why M Juppé is still in office. M Juppé succeeded, at least for the time being, because he was able to back down to the strikers without suffering a run on the franc. By why did the speculators not pounce? Consider this explanation from one big investor: "I could see that Juppé had surrendered, but I could also see the franc did not even twitch. I had to assume the market knew something good about Juppé that I didn't know — and even if the market didn't know anything, I had to respect the confidence the market was showing. It was pure reflexivity: the market's confidence let Juppé settle the strike — and that meant the confidence was justified."

By "respecting the market", the hedge funds managed to avoid losing money on the franc — and many profited handsomely by betting on falling French interest rates. So the speculators too, came out winners from these events. Were there any losers? I can think of only one insignificant group: the 50 million citizens of France, who have to live with the madness of EMU and the franc fort.

Strike aftermath, page 11

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Barclays union urges business to cut long hours

By Philip Bassett, Industrial Editor

STAFF at Barclays yesterday urged the bank and other businesses to take action against a "long-hours epidemic" at work.

Attacking the "socially and economically destructive" culture of long hours at work, one of the bank's staff unions urged business to join with it and other bodies in its campaign aimed at tackling over-long working hours.

Unifi, the Barclays staff union, said that the "new British disease" of working long hours was an urgent issue. Fear of job losses and

the steady erosion of pay in real terms had left a large number of British employees feeling unable to refuse overtime — an increasing amount of which was unpaid.

Unifi said many staff felt pressured by managers to stay on longer than even the long hours suggested by recent surveys because they feared being singled out for redundancy if they did not.

Recent survey work by Austin Knight, the consultants, said two thirds of employees in Britain now work 40 hours or more a week, with

a quarter working 50 hours or more. Launching its campaign yesterday, Unifi said that long hours sharply increased already widespread stress at work.

A survey published yesterday by the joint employer-employee Industrial Society, one of the supporters of the Unifi campaign, showed that stress is now a problem in nine out of ten organisations.

Unifi is pressing Barclays for a two-hour cut in the bank's standard working week, and a ban on unpaid overtime.

Its campaign is unusual in that it draws support from a range of organisations, including two trade unions with which it competes in recruiting Barclays staff — Bifu, the banking union, and the white-collar Manufacturing, Science and Finance union.

As well as their detrimental effect on the economy, business and health, the union said long hours could have an "even more devastating effect" on families.

Paul Snowball, Unifi's general secretary, said yesterday that the campaign was "about working together to return the British people to a safer, healthier working life — which is also more viable for the UK socially and economically".

The Government is currently taking legal action to challenge the basis of a European directive on working time, which with some exceptions proposes a limit of 48 hours on the working week, 13 hours on the working day and eight hours on night work.

But Labour backed the union's move. Ian McCartney, Shadow Employment Minister, said: "Britain is fast becoming the sweatshop of Europe. We have longer working hours for full-time employees than any other European country, and account for half the excessive working hours in the EU." By signing the EU social chapter, he said, a future Labour Government would ensure that people would no longer be working excessive hours.

B&E to buy drugs developer for £27m

BLACK & EDGINGTON, which last month unveiled plans to sell its temporary structures subsidiary and to refocus on pharmaceuticals, has announced plans to acquire Krypton, a drug development company based in Gibraltar, for up to £27 million (Martin Barrow writes).

The company, which is to be renamed SkyPharma, will pay an initial consideration of £12 million, funded through a share placing, with the balance payable depending on the development of products in the Krypton portfolio.

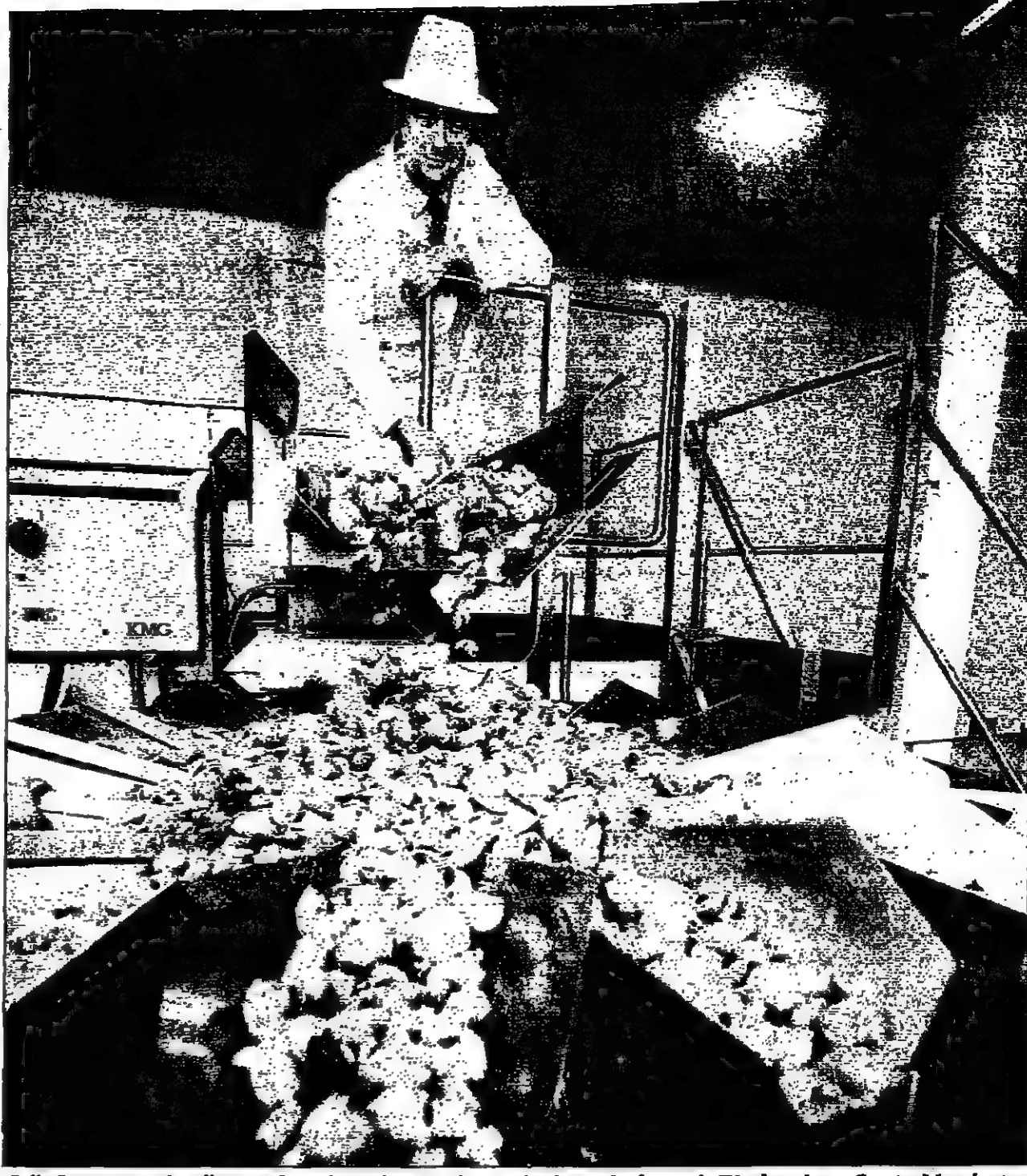
Ian Gowrie-Smith, the founder of Medeva, the pharmaceuticals company, and now chairman of Black & Edgington, said: "Our ambition for SkyPharma is to create an integrated pharmaceutical company exploiting existing drugs utilising novel drug delivery technologies."

The acquisition will be part-funded by a rights issue of new shares, raising £9.3 million in working capital for the company. All new shares are being issued at 4p each. Existing shares are currently suspended but trading is expected to resume on January 9 on the Alternative Invest-

ment Market. Black & Edgington also announced financial results for the year to July 1, showing a pre-tax loss of £9.9 million. This included an exceptional provision of £4.4 million after the loss of the contract to supply temporary structures to the Farnborough air show. There was an operating loss of £5.9 million and provisions relating to the disposal of Black & Edgington Hire amounting to £3.3 million.



Gowrie-Smith: integration



Colin Pope, managing director of Continental, overseeing production at the factory in Westhoughton, Greater Manchester

Continental's tortilla boom

D&S (Food Products), acquired for £9.7 million this month by Continental Foods, reported heavy pre-Christmas demand, with 500,000 packs of tortilla chips sold in the first week of December (Martin Barrow writes).

Continental purchased D&S in a leveraged buyout with venture capitalist First Britannia Mezzanine NV. It made an initial investment of £1 million and has an option to acquire First Britannia's entire investment. D&S's customers include Tesco, Asda, Sainsbury and Sainsbury's.

Developing countries investing abroad

By Janet Bush, Economics Correspondent

DEVELOPING countries are not only increasingly becoming host countries to the world's multinationals but are also becoming investors abroad, according to the latest World Investment Report published today by the United Nations Conference on Trade and Development (UNCTAD).

While the top 100 multinationals are all based in developed countries, 15 per cent of the world's foreign direct investment originated in devel-

oping countries in 1994. Foreign direct investment from the developing world accounted for 10 per cent of the total between 1990 and 1994.

Most of this investment originates in Asia and Latin America. For the first time, UNCTAD has listed the 50 largest multinationals in developing countries. Asia dominates with 32 entries, with the remainder based in Latin America. Top of the list is Cemex, the Mexican cement and construction company,

followed by Hutchison Whampoa, of Hong Kong, and then Daewoo and Samsung, of South Korea.

Preliminary estimates suggest that total foreign direct investment totalled \$230 billion, up from \$222 billion in 1994. Of this, \$84 billion is estimated to have flowed to developing countries. Foreign direct investment to Latin America and the Caribbean rose in 1994 to \$20 billion. Direct investment of \$1.8 billion went to Africa in 1994.

Aberdeen Trust increases dividend

Aberdeen Trust, which has more than £2.7 billion of funds under management, is increasing the total dividend by 25 per cent despite a decline in pre-tax profits to £4.1 million from £5 million in the year to September 30.

The results were adversely affected by the disposal of the company's loss-making accountancy and taxation activities, which incurred losses of £2.24 million.

The company said fund management activities continue to generate solid profits and cash flow, which augurs well for future profits. Funds under management rose by 16.4 per cent, helped by the acquisition of Prosperity Unit Trust Management in December 1994.

There is a final dividend of 1.8p a share (1.4p), which lifts the total dividend to 2.5p from 2p. Earnings were 3.21p a share, compared with 4.01p.

Housing gloom

The gloomy state of the housing market was confirmed as builder Raine announced that house sales had slumped in the last six months.

Roy Barber, chairman, said: "The UK housing market remains very weak. The recent budget confirmed my view that the pent-up demand for new homes will not be transformed into active investment for another 12 months."

He told shareholders at yesterday's annual meeting that sales for the last six months were down between 20 and 25 per cent on the same period last year. However, Raine's Hall & Tawse building contracting arm had orders worth £14.9 million, a 10 per cent rise on the previous year.

Steris in \$660m deal

Steris Corp is to acquire Amco International Inc, another American manufacturer of healthcare infection prevention products, in a deal valued at \$660 million.

The companies said they plan to merge their sales and service organisations, and excess capacity of Amco's manufacturing facilities will be used to produce Steris products. Upon completion of the merger, the combined enterprise will have about 3,500 employees in North America, Europe, and Asia. The North America direct sales and service force of more than 1,000 field representatives will be among the largest in the medical device industry.

Bill Sanford, chairman and president of Steris, will retain those positions with the combined company.

Perkins disposals

Perkins Foods has sold its shellfish businesses to the privately-owned Seafood Company in a deal worth £10.9 million.

Perkins Foods, sold Anchor Seafoods, and the Cromer Crab Co for £6.7 million in cash. The purchaser is also taking on debts of £4.2 million. Perkins said the disposals, along with the recent sale of its mushrooms business, would generate about £15 million of cash. Before the disposal, group borrowings were £30.3 million.

Brasway earnings doubled

By Martin Barrow

BRASWAY, the hydraulics and lubricants company, is confident of achieving steady growth in the second half, despite evidence that order books were slowing from a high level in the UK and some overseas markets.

Profits rose sharply to £1.05 million before tax from £505,000 in the six months to October 28, lifting earnings to

0.89p a share from 0.43p. The advance in profits was achieved despite a modest increase in sales to £20.15 million from £19.4 million.

The improvement in group margins reflected a stronger performance at Europower, a subsidiary, where sales rose 21 per cent and net profits increased by £646,000 to £827,000. Cost reductions and

a strong worldwide order book both contributed to the improvement. However, Exelube, the company's second principal subsidiary, barely broke even, with an additional £46,000 incurred on restructuring costs.

Mark Swaby, chairman, said: "The underlying outlook and order book around the world remains good."



Mark Swaby, chairman, remains confident despite some slowing in high level of orders

Taxpayers may foot part of massive mortgage debt

Japan's day of reckoning

THE Japanese Government is bracing itself for an official announcement today that it will have to spend taxpayers' money, and untold political capital, to bail out mortgage companies saddled with mountains of bad debt.

News that public money would be needed to rescue seven of the eight housing loan corporations, or *jusen*, was leaked to local media on Sunday night, but the actual announcement was expected to be made at a cabinet meeting today.

The money would be spent in the next fiscal year, and government ministers are struggling to get the appropriations written into the draft budget that is due to be submitted to the various ministries tomorrow. Several major banks founded the housing lenders in the late 1980s, when real estate prices were soaring, and

the Finance Ministry wanted to encourage private citizens to invest in homes.

The founding banks, combined with financial organisations connected with wealthy agricultural cooperatives and a few smaller investors, together made trillions of yen in ill-fated loans to the housing lenders. When the value of the land used as collateral on the resulting mortgages collapsed in the early 1990s, so did the value of all that debt and the mortgage companies.

A recession and lower property prices have dogged Japan for nearly four years. As a result, the seven *jusen* are holding about 7.5 trillion yen (£49 billion) of irrecoverable debt. Finance Ministry officials and counterparts in the Farm Ministry have spent months trying to work out how the burden should be

divided. Mineko Sasaki-Smith, an analyst at Morgan Stanley Securities in Tokyo, said: "They assumed that because land is scarce on an island, and for other reasons, that prices would naturally rebound. Now they're trying to shift the focus to Japan's need to rebuild its international image of fiscal responsibility."

The Finance Ministry and Farm Ministry have proposed that the founding banks bear Y3.6 trillion of the losses, other banks that made loans to the companies bear 1.6 trillion yen, and the farm-related groups take 1.1 trillion yen. That would leave Y1.2 trillion outstanding, from the Y7.5 trillion total, which would be converted into a debt-liquidating company, according to the original proposal.

THE TIMES

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LAW

David Pannick, QC, reflects on a year in which the Home Secretary continued to have legal troubles and a dog called Dempsey had his day



Dempsey, the pit-bull reprieved from death row; Eric Cantona kicks out, but not at the ball; O.J. Simpson showing the gloves don't fit; and Michael Howard turns a cold shoulder to rulings that some of his decisions were unlawful

A trial at Northampton Crown Court this year was abandoned on its third day after a woman juror complained to an usher that a defence barrister was such "a rude little man" that she "wanted to hit him". Lawyers and judges have tried their best to please everyone in 1995, but have not always succeeded.

Some very important issues were brought before the courts. The European Court of Human Rights surprisingly decided by ten votes to nine that the United Kingdom had violated the right to life of three IRA terrorists shot by the SAS in Gibraltar in 1988. The Scottish Court of Session, on the other hand, granted an injunction to stop the broadcasting, north of the border, of an interview with the Prime Minister, because of its possible impact on the Scottish local elections. And the Court of Appeal rejected appeals by Ernest Saunders and three other men convicted in 1990 of offences of dishonesty in relation to the Guinness affair in 1980. But courts also looked at some less substantial claims. A competitor in a Scrabble tournament won damages of £90 from the organisers because he was allowed too little time to visit the lavatory between games. An industrial tribunal made an astonishing award of compensation of £30,000 to a college lecturer who had been called an "Irish prat" by his colleagues. And a judge in New York dismissed an ambitious claim by the manufacturers of Spam luncheon meat that their trademark was unlawfully breached by a new Muppets film which featured the character "Spam", who was, they complained, "evil in porcine form".

For the Home Secretary's legal advisers, it was a particularly busy year. The House of Lords held (3-2) that a new scheme for criminal injuries compensation was unlawful. The sacked Director-General of the Prison Service, Derek Lewis, issued a writ claiming wrongful dismissal. The High Court ruled that the Home Secretary's decision to ban the Rev Sun Myung Moon from the United Kingdom was unlawful by reason of procedural unfairness. Within hours of

1995: The year of OJ, Rose West and Dempsey the dog

the Home Secretary telling the Conservative Party that he wanted tougher sentencing to send "shock waves" through the criminal community, the Lord Chief Justice, Lord Taylor of Gosford, issued a statement explaining that criminals would not be deterred by longer sentences, only by an increased likelihood of being caught.

Animals also had their day in court. Dempsey the pit-bull terrier was reprieved by the High Court after spending three years on death row awaiting execution under the Dangerous Dogs Act 1991. Barney the parrot gave vital evidence in the trial of a man convicted of handling him as stolen goods. Barney whistled in appreciation at the sight of his rightful owner entering the witness box, and allowed her to tickle his chin. The High Court ruled that ports and harbours could not lawfully refuse to facilitate the export of live animals for slaughter. At Colchester County Court, Judge Brandt dismissed a litigant's complaint that his ability to present his case had been adversely affected by what he claimed to be snoring from the judge's dog, Barty, sleeping in court.

Prison law continued to expand. A county court judge awarded damages of £100 to a remand prisoner who complained that the barber at Doncaster prison had given him too short a haircut that it made him "look like a convict". The

Hong Kong High Court held that the prison service was acting unlawfully by removing the racing pages from the newspapers of convicts. In San Diego, California, a prisoner optimistically sued for \$2,000 dental expenses which, he complained, resulted from the refusal by his jailers to supply him with dental floss. Sex was the subject of many court proceedings, and almost as many debates about the future of the legal profession. The Consistory Court of the Church of England found the Dean of Lincoln, the Very Rev Brandon Jackson, not guilty of adultery with a woman who claimed he had told her that she was as attractive as his cathedral. The deputy president of the Law Society was forced to stand down as a presidential candidate after allegations that he had been guilty of sexual harassment. A QC was suspended from practice for three months for sexual harassment of a client and a solicitor's clerk.

Sportsmen, too, fell foul of the law. Courts repeatedly ruled that footballers were offside. Eric Cantona, of Manchester United, was ordered to perform 120 hours of community service for attacking a spectator. Duncan Ferguson, of Everton, was sent to prison for head-butting an opponent while playing for Glasgow Rangers in 1994. The European Court of Justice decided that European Union law prevents restrictions on the transfer of

footballers whose contracts have ended, and prohibits Uefa rules which restrict the number of players from other EU countries who may represent a club.

In the criminal courts, Rosemary West was convicted of murdering ten young women and girls, including her own daughter. As prosecuting counsel, Brian Leveson, QC, told the jurors the evidence had "travelled to a place which plumbs the depths of human depravity". The jury was not persuaded by the submission

This year could see the last of large libel awards. The *Sunday Times* paid Michael Foot substantial damages for falsely suggesting that the former leader of the Labour Party had been a KGB agent, and Graham Southon, the former manager of Liverpool Football Club, won his case against *The People* for its erroneous suggestion that he had behaved like a "dirty rat" in his treatment of his first wife. But judges have exercised, under the protection of absolute privilege, their right to say what they think of the excesses of English libel law.

The European Court of Human Rights decided that freedom of speech had been infringed by the size of the libel damages award of £1.5 million which Count Tolstoy had been ordered to pay to Lord Aldington in 1989 for false allegations about his activities at the end of the Second World War. And in substantially reducing a jury award of damages to Elton John for defamatory articles in the *Sunday Mirror*, the Court of Appeal ruled that it was "offensive" for a plaintiff in libel proceedings to obtain damages "greater than if the same plaintiff had been rendered a helpless cripple or an insensate vegetable". From now on, juries in a libel trial will be encouraged to make realistic awards by being given guidance about the modest levels of damages for personal injuries. Royalty, too, made use of Her Majesty's

courts. The Prince of Wales won a High Court injunction against his personal valet, Ken Stronach, restraining him from making further revelations about his 15 years of service in the Royal Household. The Prince also obtained an order that his former housekeeper, Wendy Berry, pay to him all the profits earned from a book and articles she published abroad about his private life. The Prince did not seek an injunction to stop his wife giving interviews about their relationship.

Some problems in the justice system are perennial. In his interim report on the civil justice system in England and Wales, Lord Woolf explained that the legal process needs radical reform because it is "too expensive, too slow and too complex". He also warned barristers that their high fees risked "killing the golden goose".

In his annual report, Sir Thomas Bingham, Master of the Rolls, stated that "the due administration of justice" required the appointment of more judges to the Court of Appeal because "current delays in hearing appeals are of intolerable length".

But there were some reforms to the legal system. These included the introduction of conditional fees (no win, no fee) and permission for women advocates to wear trousers in court. A report criticised the cost of accommodating judges in lodgings on circuit.

In his last case before retiring as a law lord, Lord Bridge regretted that "the popular image of the geriatric judge, out of touch with the real world, is now reflected in the statutory presumption of judicial incompetence at the age of 75".

The world of the law is not always riveting. A murder trial at Winchester Crown Court was abandoned, and a retrial ordered, after the jurors complained that they could not concentrate because defence lawyers kept pointing at them. The lawyers responded that some of the jurors had been asleep during the proceedings. We must all try to focus on the issues in court in 1996.

● The author is a practising barrister and a Fellow of All Souls College, Oxford.

Courts repeatedly ruled that famous football players were offside

Barristers were warned of the danger of 'killing the golden goose'

Sir Louis steps up

SIR LOUIS BLOM-COOPER, QC, is the hot tip to be chairman of the Government's Criminal Cases Review Authority. He would like the job, and, say lawyers, would be good at it.

Meanwhile Judge Stephen Tumim, recently retired as the Chief Inspector of Prisons, has been sounded out by Martin Mears, the president of the Law Society, to take on the unenviable job of being the Visitor — a sort of inspector — of law firms' case files under his proposed reforms to the Solicitors Complaints Bureau.

But the reforms of the complaints system appear to have dropped down the agenda with all the work now in train on stamping out cut-price conveyancing fees. Proposals for the bureau to be made a department of the Law Society do not look likely to proceed.

CAB grant

THE Lord Chancellor has given a grant of £130,000 to the Citizens Advice Bureau in the Royal Courts of Justice which deals with the increasing number of people taking legal action without lawyers.

It is hoped it may prompt lawyers to dig into their pockets or do more *pro bono* work. At a carol service last week to

raise funds for the bureau, Lord Taylor of Gosford, the Lord Chief Justice, welcomed the grant.

Lord Taylor said the small claims court had been successful, but that there was "no doubt that litigants in person face a daunting challenge, and that their cases sometimes take up a disproportionate amount of scarce court time — while others in the queue may have to wait longer for justice".

He hoped that the enhanced service now to be offered by the CAB in the Royal Courts of Justice would "act as a springboard for similar action elsewhere". The move must be matched, he said, by "equally effective action" with a systematic programme of *pro bono* work by lawyers.

Bible basher

A LOOSELEAF edition of *Cordery on Solicitors* has been published. It is the profession's bible — or as the publishers, Butterworths, put it, the "leading authority on every aspect of professional conduct, obligations and liability".

And who is among its list of esteemed editors? John Young, the deputy president of the Law Society who was forced to

resign this summer from its council after allegations of sexual harassment.

Back under

CHRISTMAS sees a change of guard among the Australian firms in London. Rick Ladbury, who has been in charge of the Malleison Stephen Jacques office for eight years, is going home.

Asked if he is pleased to be finally packing his swagbag, he goes all poetic: "To quote Samuel Johnson — 'When a man is tired of London, he is tired of life'".

He is being replaced by Greg Hammond, Jim Dunstan, of Allen Arthur Robinson's office, is also returning to Australia. He is being replaced by Duncan Wall, a dual-qualified Australian-English lawyer who is joining the firm from Allen & Overy.

Tim Brooks, of Corrs Chambers Westgarth, is also returning after six years in London. He is being replaced by David Todd.

Assault course

SPORTSMEN and women may feel flattered that King's College London is to begin Britain's first university post-graduate course in sports law late next year.

The course, led by the law lecturer Adam Tomkins, will help to establish sports law as an academic discipline in the country.

But there is one discipline included in the curriculum which, no doubt, the sports establishment wished did not have to be part of the course.

Alongside contracts, sponsorship and tax, students will be discussing criminal law, especially "assault and battery".

Change partners

IN THE top City firms, only three senior partners have the classic English public school and Oxbridge education.

According to a survey by *In Brief* magazine, only one "has the sort of toffee-nosed education [Eton/Oxbridge] that you might expect of a stereotypical senior partner. Nor is Bill Sheffield, of Cameron Markby Hewitt, toffee-nosed."

Of the rest, only Vanni Treves, at Macfarlanes, and Andrew Soundy, at Ashurst Morris Crisp, have similar backgrounds. David McIntosh, a senior partner at Davis Arnold Cooper, left school at 15 and did not go to university.

He says: "The historical stereotype of the senior partner is not what the marketplace requires now. It requires an unpretentious, down-to-earth approach."

SCRIVENOR

Saddam counts the cost

Jeffrey A. Jannuzzo on Gulf War settlements



Saddam's Gulf War human shields, including Britons, will get cash compensation

The bill is in for humanitarian claims against Iraq from the Gulf War. The United Nations Compensation Commission (UNCCC) in Geneva — set up to settle the claims arising from the conflict — announced last Wednesday that it has resolved the claims of two million people, and will finish another 200,000 by next summer. The bill: \$12 billion (£8 billion).

When Iraq again sells oil, the UN will seize 30 per cent of its expected revenues of \$20 billion a year, and thus should be able to pay all the awards in less than two years.

The commission also announced that it had not only completed the special category of expedited claims for death and serious injury, but had now sent the funds to pay all those claims to the governments concerned. The UK claimants did particularly well. Out of 240 individual claims, only 13 were rejected, and the total paid, at \$402,500, is the fifth highest of any nation. Many of these special interim awards went to British subjects held hostage and used as "human shields" by Iraq, and include medical costs for post-traumatic stress disorder. Most of the special category claimants are still eligible for additional awards.

Carlos Alzamora, the executive secretary of the UNCCC, said: "To have resolved in four years almost two million of the 2.6 million claims, at a minimum operating cost, qualifies this operation as the fastest and most economical of its kind in international claims history."

The UNCCC resolved two

million claims with a staff that never exceeded 100. Its panels of distinguished commissioners decided cases part-time for a small stipend. The UNCCC staff worked tremendously hard. By contrast, the Iran-US Claims Tribunal in The Hague has sat for 15 years and still not finished its 4,000 cases. That tribunal had a peak staff of 84; its judges' salaries average \$200,000.

The UNCCC is a milestone in international law, and quietly marks a sea-change in response to armed aggression. All prior war claims processes were, in the final analysis, imposed by the powerful on the vanquished. Which is not to say they were unfair. But there is a difference between power and law, no matter how fairly the power is applied.

The Gulf War damage awards have the authority of the world community. By next month, 45 UN-member nations will have served on the governing council of the UNCCC, the international political body that makes all policy decisions, and which alone has the power to impose the

damage awards. Every decision of the council has been taken by consensus; that is, without opposition by any nation.

International business lawyers are eagerly awaiting the start of the UNCCC's review of the billions of dollars of corporate and governmental claims. The first panels will be appointed by next summer, with

Perhaps the Bosnian people will now find justice, too

more named continuously thereafter. A slightly different procedure will apply to the corporate claims. The humanitarian cases were decided in instalments by commissioners sitting in a series of four-month sessions. Each instalment was a one-shot submission: the panel received the completed files and no follow-ups were

permitted. Iraq's participation was limited to responses to quarterly status reports. In the humanitarian cases, where the issue was whether someone was killed or tortured, or expelled from the country, this procedure was fair and necessary.

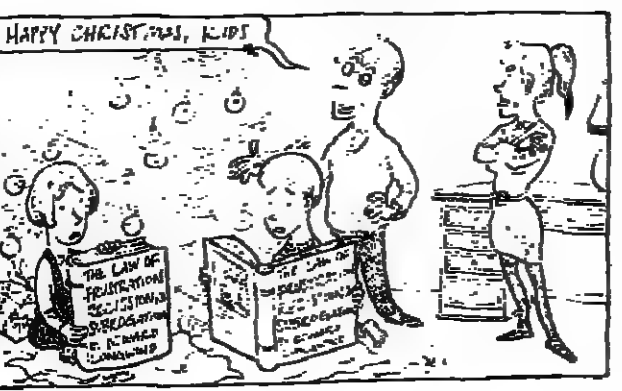
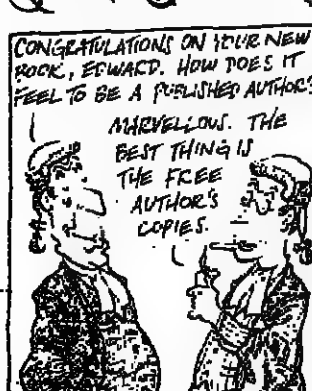
In the corporate and governmental cases, it is more likely that commissioners will submit one set of questions to the claimants, and, in complex cases, accept a response from Iraq.

The commissioners will then go into recess — and leave the UN payroll — until the cases are fully briefed. When the commissioners return, they will face a firm deadline of either six or 12 months to render a final decision.

The world now looks at Bosnia, where millions of people have abandoned homes and belongings in lands controlled by others. Bosnia is different. But if the UNCCC can resolve two million cases in four years with a staff of 100, perhaps the people of Bosnia can find justice as well.

● The author is an international lawyer in New York.

QUEEN'S COUNSEL



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Unlawful conduct not disgraceful

Plenderleith v Royal College of Veterinary Surgeons
Before Lord Browne-Wilkinson, Lord Slynn of Hadley and Lord Hoffmann

[Reversed December 11]

A veterinary surgeon's conduct, although in breach of the Veterinary Surgeons Act 1966, was not disgraceful in a professional respect in employing two veterinary surgeons, before they were registered by the Royal College of Veterinary Surgeons, when he knew that they had European veterinary qualifications entitling them to be registered and that they had applied for registration.

The Judicial Committee of the Privy Council so held when allowing an appeal by the appellant, Mr Robert William James Plenderleith, against the determination of the disciplinary committee of the Royal College of Veterinary Surgeons on January 24, 1995, that by reason of findings of disgraceful conduct in a professional respect his registration would be suspended for four months.

Mr James Plenderleith, the appellant, Mr Paul Rose and Mr Richard Booth for the Royal College of Veterinary Surgeons.

LORD SLYNN said that the appellant was a veterinary surgeon of long experience. With associates he provided veterinary services at a number of clinics in Lincolnshire.

Sharon, a cat, was taken to one at Louth on May 7, 1994 and was seen by a man who injected her with a vaccine. On July 20, 1994, she was seen by a woman who gave an injection. On each occasion a certificate was signed by the person giving the injection stating that the vaccine had been administered.

Two charges were brought by

the college alleging that the appellant on the first occasion caused or permitted his employee, a Mr C. J. Cornillese, to provide veterinary care to Sharon when the appellant knew or ought to have known that Mr Cornillese was not registered in the register of veterinary surgeons and alleging that, on the second occasion, another employee, Miss C. M. Birmingham, whom again the appellant knew or ought to have known was not so registered, had been caused or permitted to provide such services.

On the relevant dates neither employee was registered. On the other hand both held a recognised European qualification in veterinary surgery. Mr Cornillese was a member of the Royal Netherlands Veterinary Association. Miss Birmingham was entered on the Register of Veterinary Surgeons for Ireland.

By section 5A of the Veterinary Surgeons Act 1966, inserted by article 3(2) of the Veterinary Surgeons Qualifications (EEC Recognition) Order (SI 1980 No 1951), they were entitled to be registered in the register of the college and, on being registered, to become a member of the college.

The appellant contended that in doing what he did he could not be said to have conducted himself disgracefully in a professional respect.

He did not attend the hearing of the disciplinary committee but he swore an affidavit in which he explained the difficulty veterinary surgeons had at the time in recruiting qualified persons to fill posts and to even to find suitable locations.

In order to carry on his practice he had been willing to employ veterinary surgeons qualified in other member states of the European Community, but he complained that as it took so long to get the registration through, he had

gone ahead and had employed Mr Cornillese and Miss Birmingham even before they were registered. On April 20, 1994, Mr Cornillese asked to be registered by the college. If the registration could have been dealt with on receipt of his letter, since the assistant registrar of the college accepted in exceptional circumstances it could be done in one day, Mr Cornillese could easily have been registered before Sharon's visit on May 7, 1994.

It was, however, the college's practice for administrative convenience to hold registration sessions every fortnight when a group of applicants would be dealt with together. In accordance with that practice, Mr Cornillese amended the college, completed the application form and was registered on May 13, 1994.

Miss Birmingham attended at the college with Mr Cornillese on May 13, 1994, asking to be registered. She produced her qualification documents but only her American passport and not her Irish one. The college was not prepared to accept that her Irish nationality had been proven. The provision of the documents and her visit to the college took place some two months before she treated Sharon on July 20, 1994.

The college took the stand that the two veterinary surgeons could not practise until they were registered and that on the two dates in question the appellant had been in breach of the 1966 Act. The matter was referred to the disciplinary committee.

It seemed reasonable that for good administrative reasons the college organised registration on a fortnightly basis rather than allowing people to come in at any time. Nor could it be said to be unreasonable that the college was not satisfied as to Miss Birmingham's Irish nationality

when all she could produce was an American passport.

Assuming that Mr Cornillese and Miss Birmingham should not have been employed unless they were registered on the dates respectively referred to in the charges, the question was whether the appellant's conduct in employing them in all the circumstances amounted to disgraceful conduct in a professional respect.

The words of the charge had their analogies in the disciplinary rules of other professions: see *Marten v Royal College of Veterinary Surgeons* [1966] 1 QB 1; *Felix v General Dental Council* [1966] AC 704; *Hughes v Architects Registration Council of the United Kingdom* [1957] 2 QB 530 and *Allison v Council of Medical Education and Registration* [1989] 1 QB 750.

Those cases made it clear that what was done had to be done in a professional respect and that it was not a prerequisite of the charge being proved that what was done had to involve some moral turpitude.

The Board was reluctant to consider that every breach of the disciplinary code or the statute or every commission of a criminal offence was necessarily to be regarded as "disgraceful conduct in a professional respect".

However, technical or "infringing" or "disgraceful" conduct might have been given, so as to render unnecessary a morally blameworthy act, there had to be a line below which conduct did not pass.

The Board was reluctant to interfere with a finding by professional men of "disgraceful conduct in a professional respect" by one of their colleagues.

On the other hand the appeal was in the nature of a rehearing in exactly the same way as the Court

of Appeal dealt with appeals from a trial judge.

Their Lordships appreciated the obvious importance from the point of view of both the profession and of the public that only registered veterinary surgeons should be employed. It had, however, to be borne in mind that in the present case, both individuals had genuinely sought to register and the appellant was aware of that.

Both had the requisite qualifications. The delay was to some extent due to the administrative arrangements adopted.

Mr Cornillese was registered within seven days of the offence charged; but for lack of a passport Miss Birmingham would have been registered two months before she treated Sharon.

Both were registered before proceedings were brought. The appellant seriously thought that the college was preventing the employment of veterinary surgeons qualified in the member states by the procedures which it adopted.

Upon all the evidence it could not reasonably be said that the appellant's conduct was "disgraceful in a professional respect", albeit he was in breach of the statute in employing the two veterinary surgeons.

Their Lordships regarded it as a special case in which they considered it right to recommend that the appeal should be allowed.

In the circumstances, it was unnecessary to decide the issues of European Community law which had been raised, for example, whether Council Directive 78/1024/EEC (OJ 1978 L362/1) in so far as not specifically incorporated into British law could be relied on by the appellant against the college.

Solicitors: Charles Russell: Hempsons.

Attendance allowance for resident of home

Stearns and Another v Chief Adjudication Officer and Another
Before Lord Justice Hirst, Lord Justice Aldous and Mr Justice Forbes

[Judgment December 7]

The duty of a local authority under Part III of the National Assistance Act 1948 to make arrangements for providing residential accommodation for a person who was in need of care and attention ceased on such care and attention becoming otherwise available to that person.

Accordingly, such a person was not excluded from entitlement to an attendance allowance by regulation 4(1)(c) of the Social Security (Attendance Allowance) (No 2) Regulations (SI 1975 No 998), as amended by the Social Security (Attendance Allowance) Amendment (No 3) Regulations (SI 1983 No 1741).

The Court of Appeal so stated dismissing an appeal by the Chief Adjudication Officer and the Secretary of State for Social Security from the decision of Mr J. Mesher, a social security commissioner, in which he held that the claimant, Mrs Vera Stearns, was entitled to payment of attendance allowance.

The claimant was born in 1909 and on December 19, 1988 became a resident in a residential home called "Elmdon" which was owned and run by the Isle of Wight County Council. The claimant paid the full charge for her accommodation.

In 1990, the second respondent to the appeal, Islecare, a company limited by guarantee and registered as a charity, was established by the council to manage the residential care homes operated by the council. In 1991 Elmdon was leased by the council to Islecare which took over its management.

Before the transfer of Elmdon to Islecare, the residents, including the claimant, were informed of the proposed change and were offered a choice as to whether they wished to move to other residential accommodation provided by the council or to stay at Elmdon. The claimant elected the latter course and after the transfer she paid the charge for her accommodation to Islecare.

On May 20, 1991 the claimant's son, on her behalf, made an arrangement with the council for attendance allowance. The Social Security Appeal Tribunal allowed the claimant's appeal and held that she was entitled to an attendance allowance. The Chief Adjudication Officer and the secretary of state's appeal against that decision was dismissed by the Social Security Commission.

Mr John Howell, QC, for the Chief Adjudication Officer and the secretary of state, Mr Roger Mc-

Carthy for the claimant and Islecare.

LORD JUSTICE ALDOUS said that the appeal raised issues of construction of the relevant legislation. Part III of the National Assistance Act 1948, sections 21 to 26, gave local authorities powers and duties to provide residential accommodation. Whereas section 21 confined the local authority's power to make arrangements for accommodation to that which was provided by it or which local authority, section 26 extended that to accommodation managed by a voluntary association.

Payment of attendance allowance was provided for in section 35 of the Social Security Act 1975 and it was accepted that the claimant satisfied the prescribed conditions. Pursuant to the 1975 Act, regulation 4 of the 1975 Regulations, as amended by the 1983 Regulations, provided:

"(1) ... an attendance allowance shall not be payable in respect of a person who had attained the age of 16 for any period during which that person is living in accommodation ... (a) provided for him in pursuance of Part III of the National Assistance Act 1948, paragraph 2 of Schedule 8 to the National Health Service Act 1977 ... (c) provided for him in circumstances in which the cost of the accommodation may be borne wholly or partly out of public or local funds in pursuance of a scheduled enactment."

Before the commissioner, Mr Howell's primary submission was that the claimant continued after the transfer of the management of Elmdon to Islecare to live in accommodation provided by the council under the 1948 Act and in particular section 21. That being so, attendance allowance was not payable having regard to regulation 4(1)(a) of the 1983 Regulations.

Under Part III of the 1948 Act an authority's duty, once it had arisen, could be discharged by making arrangements for a claimant to be provided with accommodation in premises managed by a voluntary association.

Thus when the claimant decided to remain at Elmdon she was merely choosing to be accommodated in accordance with an arrangement made by the council with Islecare rather than at another home managed by it. In essence she availed herself of the arrangement of the council.

The commissioner rejected that submission. He concluded that the council only had power to act and to incur expenditure when authorised to do so by the legislation.

In his view, once the care and attention which the claimant

needed became available to her otherwise than by way of arrangements under sections 21 or 26 of the 1948 Act, the local authority's duty under section 21(1) ceased to exist.

When Islecare took over the management of Elmdon the necessary conditions required by section 26 did not exist, with the result that the continued provision of accommodation under the management of the voluntary organisation, Islecare, was not in pursuance of Part III of the 1948 Act.

At the date of the commissioner's decision the Court of Appeal's decision in *Chief Adjudication Officer v Harris* (unreported, April 15, 1994) was not available.

Mr Howell accepted that the court was bound by the conclusion of the Court of Appeal in the *Harris* case and in those circumstances his primary submission could not succeed. He told the court that the *Harris* case was to be considered by the House of Lords and, in those circumstances, he reserved his client's position.

Mr Howell went on to submit that nevertheless attendance allowance was not payable having regard to regulation 4(1)(c) of the amended 1975 Regulations which provided that no allowance should be payable for any period during which a person was living in accommodation "provided for him in circumstances in which the cost may be borne wholly or partly out of public funds in pursuance of a scheduled enactment".

In support he referred to *Jones v Insurance Co* (unreported, February 15, 1984, CA). He also drew the court's attention to *Chief Adjudication Officer v Kenyon* (unreported, October 17, 1995, CA).

Contrary to Mr Howell's submission, his Lordship believed that Lord Justice Simon Brown was correct to distinguish *Jones* and to conclude that the issue in *Kenyon* arose directly for the first time.

Thus the conclusion reached in *Kenyon*, that the local authority did not have the power to pay unless and until it made arrangements for the claimant's accommodation pursuant to Schedule 8 of the National Health Service Act 1977 or the 1948 Act.

The council did not make arrangements for the claimant's accommodation which she had at all times paid for. Thus, following *Kenyon*, the council had no power to pay for the claimant's accommodation pursuant to Schedule 8 of the National Health Service Act 1977 or the 1948 Act.

Lord Justice Hirst and Mr Justice Forbes agreed.

Solicitors: Solicitor, Department of Social Security; Mr P. W. Pilgrim, Newport, IOW.

Beneficial interest in joint home in man's name

Drake v Whipp

Before Lord Justice Hirst, Lord Justice Peter Gibson and Mr Justice Forbes

[Judgment November 30]

Where there was a common intention that the party who was not the legal owner of a property should have a beneficial interest and that party had acted to his or her detriment, a constructive trust was created.

A point source of confusion in such property disputes was caused by the suggestion that it mattered not whether the terminology used was that of a constructive trust or that of a resulting trust.

The Court of Appeal so stated allowing an appeal by the plaintiff, Barbara Anne Drake, from the decision of Judge Walker sitting at Halifax County Court on May 15, 1994 whereby he assessed her beneficial interest in the home which she had shared with the defendant, Roger Whipp, at 19.4 per cent.

In 1988 the plaintiff and the defendant, who had been living together for three years, bought a barn for £61,254 of which the plaintiff provided £25,000 (40 per cent) and which was conveyed into the defendant's sole name. The sum of £129,536 was spent on conversion works to the property of which the plaintiff contributed £13,000.

In September 1991 the defendant formed a relationship with another woman and the plaintiff left. She brought proceedings in the county court seeking a declaration that the defendant held the property in trust for herself and himself in equal shares, or such shares as the

court might think fit, an order for sale and division of the net proceeds, alternatively a payment by the defendant to her of a sum equal to her interest in the property.

Mr Nicholas Carlisle for the plaintiff, Ms Lesley Newton for the defendant.

LORD JUSTICE PETER GIBSON said that yet again the court was asked to rule on a dispute between a man and a woman, who cohabited but were not married to each other, as to their respective beneficial interests in a property which they purchased to be their home but which was put into the man's name only.

The usual lengthy litany of authorities as well as more recent additions had been recited to the court and, as was notorious, it was not easy to reconcile every judicial utterance in that area of the law.

A point source of confusion, to his Lordship's mind, had been suggestions that it mattered not whether the terminology used was that of the constructive trust to which the intention, actual or imputed, of the parties was crucial, or that of the resulting trust which operated as a presumed intention of the contributing party in the absence of rebutting evidence of actual intention.

His Lordship therefore welcomed the announcement earlier in the year that the Law Commission was to examine the property rights of homebuyers.

In the present case it seemed to his Lordship that the judge made findings and there was undisputed evidence which amounted to there being a common understanding

between the parties that they were to share beneficially. He found that it was their decision to purchase with contributions from each.

It was therefore remarkable that, notwithstanding the fact of a direct contribution to the purchase price, when Miss Newton addressed the judge she expressly conceded that there was no agreement and no common intention, and based her argument on a resulting trust.

The debate before the judge turned on whether it was permissible to take account of the respective contributions to the costs of the conversion in addition to the costs of acquisition, the plaintiff's case being that that could not be done under the doctrine of a resulting trust whereas the defendant's case was that it could and should be done on the facts of the present case in order to achieve fairness.

The judge agreed with the defendant. He found that both parties knew that to achieve the purpose of a home for which the barn was bought, substantial sums would have to be spent and the bulk of the cost met by the defendant as he had the savings and the earning capacity.

He found that their common intention was to purchase the property and carry out a conversion in accordance with plans earlier approved and that each should contribute, accordingly to his or her ability, to the ultimate cost.

He therefore found that the plaintiff's share of the total expenditure of £195,790, namely £38,000, entitled her to a 19.4 per cent share. He found that the value of the

property was £225,000 and ordered that unless the defendant paid her 19.4 per cent of that amount, namely £43,650, the property be sold.

The plaintiff now appealed to the court. Mr Carlisle submitted that the judge wrongly created the separate doctrine of constructive trust and resulting trust, whereas he was only concerned with a resulting trust.

That, he submitted, required attention to be paid only to the cost of acquisition of the property, the cost of its subsequent enhancement being irrelevant.

When it was put to him that it was a case of a constructive trust by reason of a common understanding or intention acted on by his client to her detriment, he submitted that there had to be a common intention as to the respective shares to be taken by the intended beneficial owners.

In his Lordship's judgment, that was an impossible argument in the light of the authorities. All that was required for the creation of a constructive trust was that there should be a common intention that the party who was not the legal owner should have a beneficial interest and that that party should act to his or her detriment in reliance thereon.

Given the clear view that their

Lordships had formed that the present case was one of a constructive trust and that Miss Newton's concession that there was no common intention was wrongly made, it would in his Lordship's judgment be artificial in the extreme to proceed to decide the separate doctrine of constructive trust and resulting trust, whereas he was only concerned with a resulting trust.

However, it would be wrong to proceed on the true basis if the plaintiff was thereby put at a disadvantage which would not have happened but for the concession.

As Mr Carlisle rightly pointed out, in constructive trust cases, the court could adopt a broad brush approach to determining the parties' respective shares.

His Lordship noted that while it was open to the plaintiff to argue at the trial for constructive trust and for a 50 per cent share, she opted to rely solely on a resulting trust and a 40.1 per cent share.

In the circumstances, his Lordship would hold that her fair share should be one third.

Lord Justice Hirst and Mr Justice Forbes agreed.

Solicitors: T. I. Clough & Co, Bradford; Flinn Gledhill & Co, Halifax.

Confidential status of information

Maudsley v Palumbo and Others

Before the status of "confidential information" could be attributed to a concept or idea it was necessary to have gone far beyond identifying a desirable goal of considerable degree of confidentiality in a definite product needed to be shown to be the result of the mental process in question.

Mr Justice Knox so held in the Chancery Division on December 12, in dismissing an action brought by the plaintiff, Ray de Maudsley, against James Rudolph Palumbo, Humphrey "Rudolph" Weatherhead, Justin Charles Berkman, Dance Studio UK Ltd and Danceclub Ltd, in which the plaintiff sought against all the defendants an injunction to restrain breaches of confidence in his idea for an all-night dance club,

whether by using or disclosing it.

MR JUSTICE KNOX said that on all three elements stated as requisite to establish a breach of confidence by Mr Justice Megarry in *Confidentiality v. N. Clark (Engineers) Ltd* [1990] RPC 411, namely (i) the information must have the necessary quality of confidence, (ii) it must have been imparted in circumstances importing an obligation of confidence and (iii) there must have been an unauthorised use of that information.

However, in his Lordship's view, the plaintiff had been rather shabbily treated. In that he had been encouraged to think that he would be part of the defendants' enterprise but had only been disabused of that long after Mr Palumbo and Mr Weatherhead had decided that he would not.

Regina v Secretary of State for the Home Department, Ex parte Weatherhead

Before Mr Justice May

[Judgment December 14]

Where a body had been destroyed or was irretrievably a reference to the Home Secretary to exercise his discretion to order an inquest under section 15 of the Coroners Act 1988 could be made even though it was not certain that the person had died.

The Queen's Bench Division so held when dismissing an application by Christine Weatherhead, for judicial review of the decision of the secretary of state on February 2, 1995 that it was not desirable to direct that an inquest be held into the alleged death of her sister, Patricia Hall, under section 15 of the 1988 Act.

Keith Hall had been tried in 1994 at Leeds Crown Court for the murder of his wife. A taped confession that he had strangled her and burned the body in an incinerator was ruled inadmissible and he was acquitted. The secretary of state while recognising the wish of the family to have an official pronouncement of death considered that to order an inquest would be to subject Mr Hall to a second judicial process and that it

would be intolerable if the finding of the inquest were in effect that Mrs Hall had been murdered by her husband.

Mr Tim Owen and Miss Quincy Whittaker for the applicants Mr Ian Burnett for the secretary of state.

MR JUSTICE MAY said that the present and statutory functions of a coroner were generally defined where there was a dead body and therefore the fact of death was not normally in dispute.

In the present case, the respondent had submitted that it was not a proper exercise of discretion to require an inquest where the purpose was to establish that a person was dead and not merely missing. His Lordship rejected that stark submission.

The foundation of the coroner's discretion to report the facts to the secretary of state under section 15 was his reason to believe that a death had occurred and it was different from a normal inquiry because the body had been destroyed or was irretrievable. What triggered the discretion was the coroner's belief.

In absolute terms where there was no body the coroner's belief might or might not be correct but there was no suggestion that the coroner's belief had to be elevated

to a certainty because the secretary of state's discretion arose.

The secretary of state had not proceeded on such a stark understanding and it was legitimate to proceed under section 15 where the coroner had reason to believe that a death had occurred but was not in fact certain.

The Home Secretary had proceeded on the basis that the requirements in section 15(1) were satisfied and that had been the correct approach. There was no error of law or irrationality revealed in the secretary of state's decision.

An inquest was likely to be seen in any but narrow legalistic terms as directed towards the family whose substance would be that Mr Hall was the killer. A verdict of unlawful killing might not be inconsistent with his acquittal but that was how everyone would regard it.

The discretion of the secretary of state under section 15 was wide and it was not for the court to substitute its discretion simply because it might have come to a different conclusion had the discretion been vested in the court. Accordingly the application failed.

Solicitors: Hodge Jones & Allen, Camden; Treasury Solicitor.



Win a break at Henlow Grange Health Farm

Today *The Times*, continuing our *Twelve Days of Christmas* competition, brings you the chance to win a two-night break at Henlow Grange Health Farm. In the traditional carol, on the fifth day of Christmas, your true love would have sent you five gold rings but we have five two-night breaks for two to be won, a welcome post-Christmas present for you and a guest.



The prize, two nights and three days, includes meals, the use of all the health farm's facilities, two full body massages, a facial or neck-shoulder massage, one Eastern scalp massage and one UVA sunbed or body analysis per person.

Worth £500 for two, the prize can be

taken at anytime except Saturday nights. You will arrive at 10am, have coffee and an introductory tour. This will be followed by a three-course lunch before your treatments begin. On day two you can enjoy the indoor pool, whirlpool, sauna, steam and plunge pool, gymnasium, play tennis or go for a bike ride. On the third day you can pamper yourselves until four in the afternoon.

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Water like a stone
Snow had fallen.
Snow, snow on snow*

Call our competition hotline below with your answer. The line is open until midnight tonight. The first correct entries chosen at random will win. Normal *Times* Newspapers competition rules apply.

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Penrose and Another v Official Receiver

Before Mr Justice Chadwick

[Judgment October 18]

In exercising its discretion whether to allow a director of a company which had gone into insolvent liquidation to be a director of a company with a similar name, the court should have regard only to the purpose of section 216 of the Insolvency Act 1986 and the mischief it was designed to eliminate.

Therefore, it was not normally appropriate to take into account the risk that the new company might fail by reason of the lack of experience of its directors and under-capitalisation.

Mr Justice Chadwick so held in the Chancery Division, sitting at the Birmingham District Registry, on an appeal from District Judge Sankey who had dismissed an application by Timothy James Alan Penrose and Ruth Finch Penrose for leave, pursuant to section 216(3) of the 1986 Act to be directors of a company known as Hudsons Coffee Houses (Holdings) Ltd. The Official Receiver opposed the application.

Mr Michael Fay for the applicants, Miss Sandra Bristol for the Official Receiver.

MR JUSTICE CHADWICK said that the applicants sought the leave of the court pursuant to section 216(3) of the 1986 Act to continue trading through a new company which bore a name that was the same as or closely similar to that of a company which had

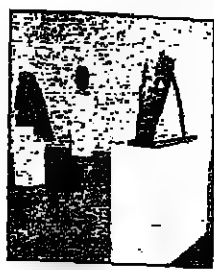
gone into insolvent liquidation and of which they had been directors.

The name of the old company was Hudsons Coffee Houses Ltd. It was ordered to be wound up by the court on the ground that it was unable to pay its debts and was undoubtedly an insolvent company for the purposes of section 216.

The name of the new company was Hudsons Coffee Houses (Holdings) Ltd and there was no doubt that that was a prohibited name for the purposes of section 216(2).

The Official Receiver's report contained the evidence of the old company's failure was "the withdrawal of bank overdraft facilities, rapid expansion, lack of capital, inexperienced management and inadequate controls aggravated by declining turnover due to a downturn in trade in the shopping developments".

The district judge did not take the view that trading under the name of the new company was going to cause any risk or detriment to the creditors of the old company; nor that the use of the new company's name was going to lead to expropriation out of the assets of the old company of goodwill or trade connection which could have been realised for the benefit of its creditors.



■ VISUAL ART 1
The austere authority of William Turnbull is explored in the Serpentine's new exhibition



■ VISUAL ART 2
Bridget Riley in conversation, and other books for Christmas, reviewed by Richard Cork

THE TIMES ARTS



■ VISUAL ART 3
John Keane, master of ironic political juxtaposition, goes on show at Flowers East



■ VISUAL ART 4
... while Paul Hogarth's Croatian drawings take an unexpectedly benign view of that troubled region

Richard Cork admires the gentle strength of sculptor William Turnbull's work; plus other recommended shows

Watchful calm after the storm

Winter is the ideal time for a William Turnbull exhibition at the Serpentine Gallery. Outside, the trees stand lean and stark in the pale light of Kensington Gardens. Inside, Turnbull's frontal, tree-like bronzes look equally purged. I have never seen these rooms taken over by such a spirit of absolute stillness. Sculptural form is here pruned of everything that might impair its essential strength.

To judge by the earliest exhibits, this passion for austerity marked his work from the outset. Most artists only manage to arrive at a pared-down state after a considerable amount of searching. But Turnbull set himself against superfluity in his very first term at the Slade School of Art.

The year was 1946, and he had just emerged from active service as an RAF pilot. Like the other young sculptors who were about to transform post-war British sculpture, he was in no mood to celebrate the advent of peace. Victory did not generate any triumphalism in this remarkable, tough-minded generation. They had witnessed too much destruction, and the continuing international tensions drove them towards an art of vigilance, tautness and economy.

Nobody was more spare in his approach than the young Turnbull. Before the war, he had endured privation in Depression-wracked Dundee when his father, an engineer, was made redundant. Forced to leave school at 15, Turnbull made do with less. He may also have become wary of an early age, stiffening himself to withstand life's vicissitudes.

At any rate, there is certainly an armoured feeling in the bronze *Horse* he produced in 1946. It has a visor-like aspect, suggesting that the man who made it had no intention of shedding the defensive readiness acquired during the years of slump and military discipline.

At the same time, these early pieces seem vulnerable. No aggression can be detected in

Horse or the other bronzes Turnbull produced in the same period. A lot of the figures that appear in *Game* or *Mobile Stabile* are as slender as stalks. They suggest that Giacometti, whom Turnbull visited many times during a two-year stay in Paris, became for a while the dominant influence on his work. Humanity takes on the fragility of a grasshopper, and in *Heavy Insect* six attenuated forms stand or sway on a thin base scarcely able to support them.

The unease in Turnbull's early work should not, however,

‘He is far too controlled to convey outright anxiety’

er, be exaggerated. He is far too controlled an artist to convey outright anxiety. He has a passion for order, and his innate gentleness prevents him from producing images that attempt to disturb. *Head 2*, a small reclining bronze made in 1955, may look battered enough to be the victim of some catastrophic assault, but the possibility that it might survive a nuclear attack is entirely outweighed by its paradoxical serenity.

For all his commitment to renewal, both as a sculptor and a painter of remarkably minimalist canvases, Turnbull shies away from making overt references to the modern world. He was for a while an enthusiastic member of the Independent Group, whose discussions at the ICA encompassed many of the concerns that would eventually surface in Pop Art. Even so, no one could have been less interested in making advertisements, science fiction or magazine illustrations the subject of his work. Instead, he is likely to have been especially involved with the group's fondness for ranging back over the whole

history of art, and finding as much stimulus in prehistoric objects as in the strip cartoons Turnbull once drew for the D.C. Thomson publishing group.

Ultimately, though, his own bronzes seem to be engaged in a search for the very origins of sculpture. They grew more substantial in the late 1950s, replacing the previous etiolation with a feeling for the solidity of three-dimensional form. They grew taller, too, enabling a *Female Figure* to impress us with her palpable sense of bulk.

The articulation of this figure, though, has little to do with conventional anatomy. Turnbull began pressing objects and making marks in his wet clay with brusque simplicity. They give *Female Figure* a corrugated quality far removed from the smoothness usually associated with a woman's body. She manifests Turnbull's developing fascination with metamorphosis — the title of a 1955 sculpture so enigmatic it is capable of generating many possible meanings.

All the same, Turnbull left very little doubt about his engagement with form at its most elemental. As its title indicates, the 1957 *Totemic Figure* has the presence of a deity erected in a locale remote from the reality of 20th-century urban life. It is a severe work, in the sense that everything has been reduced to a sequence of bare, angular planes. But it also exudes a profound calm. This is the most abiding emotion generated by the Serpentine show, and heightened by an exceptionally lucid installation.

Even when Turnbull punctures a standing figure with holes, they do not resemble wounds. The sculpture is called *Source*, and he invites us to imagine that beneficent liquid might easily spring from these cavities. Although several of the large paintings he produced in the late 1950s contain passages as turbulent as a storm or a shell-burst, agitation of this kind is never allowed to disrupt his bronzes' consistent emphasis on erect, watchful placidity.

By the mid-1960s, Turnbull

was ready to change. He began working in steel, painted or polished so that it became redolent of the machine age. By excluding this period, the Serpentine show stresses the powerful continuity of concerns linking his 1950s sculpture with the work he has produced over the past decade. For bronze finally reassured its supremacy as his favourite material. He cast aside the industrialised rigidity of steel and returned to a more organic vision where human and plant forms achieve a new, highly poetic fusion.

The pre-classical idols of the Mediterranean world now began to reign still more imperiously than before. At first, they were amalgamated with the forms of succulent leaves. Balanced gracefully on a small stone base, the deep green *Leaf Venus 2* can only be identified as a woman by a few modest incisions suggesting face and hands on the surface of the bronze.

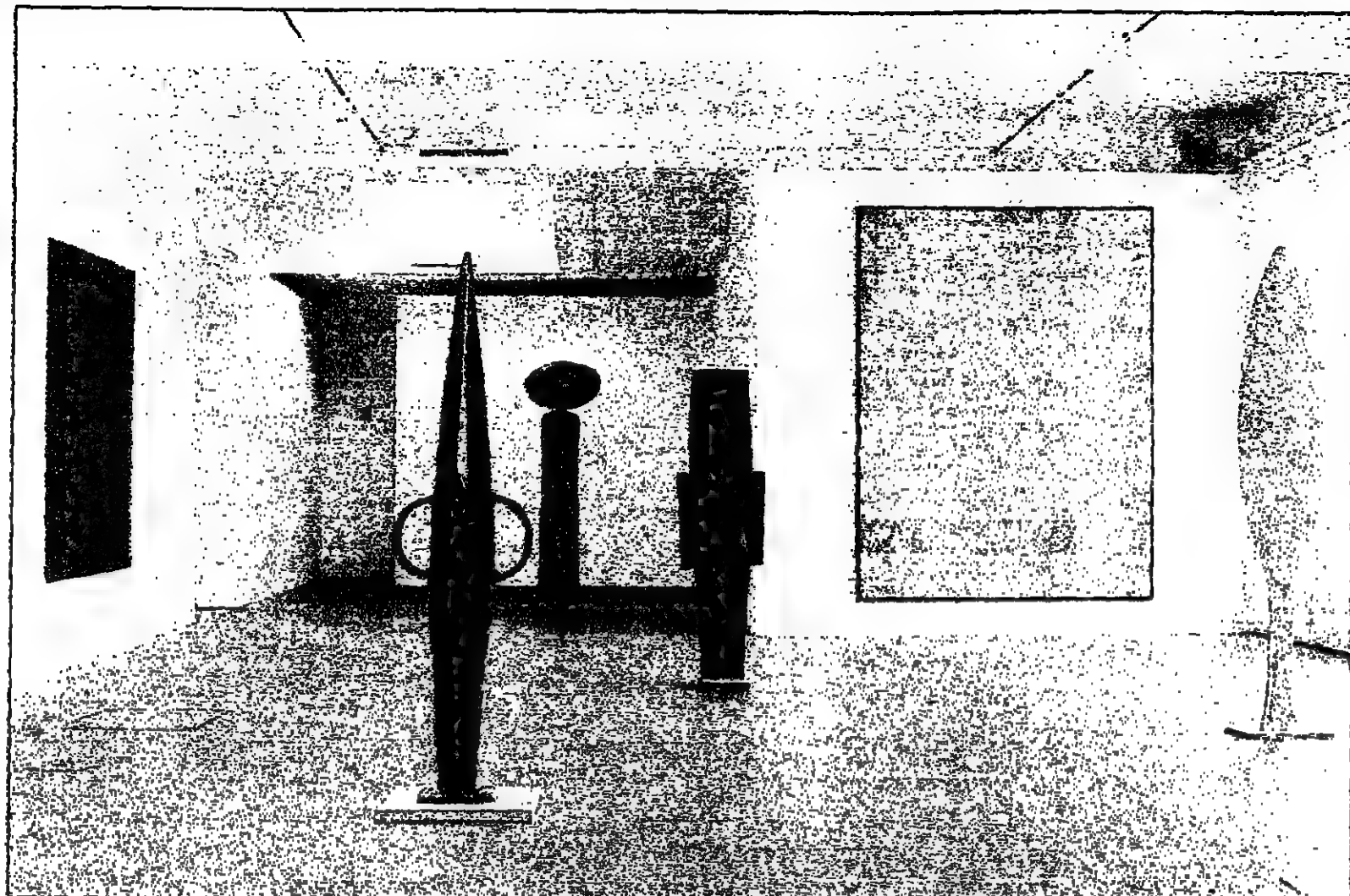
Understatement soon becomes Turnbull's forte in these late works, and yet it is not

accompanied by any loss of eloquence. These figures gain from their compressed quietude, particularly in the largest room, where a few standing forms preside over their surroundings with potent conviction.

Sometimes these idols take as their starting-point Japanese swords or Chinese chopping knives. By the time Turnbull transforms them into his own images, though, the sculptures lose whatever latent violence the blades once possessed. Seen in a cluster, they seem as lyrical as sails responding to a soft breeze.

This sense of incipient movement provides a key to the success of Turnbull's recent work. Rather than appearing inert, even the most static of his *Queen* figures look utterly alert. Based on his sons' surfboards, they soar through the white Serpentine spaces with sublime agility and poise.

William Turnbull, sponsored by Tag Heuer, at the Serpentine Gallery, Kensington Gardens, London W2 (0171-23 6023) until Jan 7. Closed Dec 23-26 and Jan 1



"Even when he punctures a standing figure with holes, they do not resemble wounds": the works of William Turnbull, on show at the Serpentine Gallery

ART BOOKS FOR CHRISTMAS

The most surprising of recent books about art turns out to be fiction rather than fact. Although written by Christopher Green, professor of art history at the Courtauld Institute, *One Man Show* is a novel (Abacus, £9.99). But everything in it benefits from Green's insider knowledge of how the reputations of artists are made. Invited to write the catalogue for Jack Driver's posthumous retrospective at the Tate Gallery, Roland Matthias finds himself ensnared in a labyrinth of conspiracies, lies and calamitous revelations.

Unlike Jack Driver, Bridget Riley is able to talk about her own work in *Dialogues on Art* (Zwemmer, £15.95), where five interviewers draw out her thoughts on past art, colour perception, abstract theory and other topics.

Sir Ernst Gombrich, numbered among Riley's interlocutors, reappears as an author with *The Story of Art* (Phaidon, £19.99). First published 45 years ago, and reprinted many times, this justly celebrated book now benefits from a handsome redesign.

The tireless Gombrich also contributes, once more as an interviewer, to *Antony Gormley* (Phaidon, £19.99). The excellent illustrations disclose exactly how Gormley has revitalised the tradition of figurative sculpture, both before and after winning the Turner Prize in 1994.

Another Turner prizewinner, Richard Deacon, is the subject of a companion book (Phaidon, £19.99), which features illuminating texts to accompany superbly presented plates.

James Lingwood, who was instrumental in commissioning Rachel Whiteread's legendary *House*, has now edited a commemorative book on this much-lamented sculptor (Phaidon, £19.99).

Henri Gaudier-Brzeska was the most precocious of the early 20th-century sculptors who have inspired generations of Britons. By the time of his death aged 23 he had achieved an astonishing amount. In *Gaudier-Brzeska: Artist and*

Myth (Sansom & Co, £19.95), Roger Cole concentrates largely on biographical matters and publishes much new material.

If Gaudier had survived the First World War, he might well have retreated from extreme Vorticism innovation. In France, many of his fellow-countrymen turned towards tradition, and the increasing conservatism of their interior art is the subject of Romy Golan's admirable *Modernity & Nostalgia* (Yale, £35). Long before New York superseded Paris as the prime centre for modern Western art, France's commitment to the new had faltered.

The vigour of French Painting in the 17th Century is revealed in Alain Merot's major study of the period (Yale, £45). The giants of the time — Claude, Poussin and Georges de La Tour — are familiar enough. But Merot's fresh research puts them in a rich context, and he illuminates a host of far less familiar work by other French painters.

Focusing on one artist from the next century of French art, Susan L. Siegfried transforms our understanding of Louis-Leopold Boilly (Yale, £40). When he retired from painting in 1829, the indefatigable Boilly had produced 4,500 small portraits. But Siegfried is fascinated by the social attitudes in Boilly's work.

Peg Weiss performs a similar eye-opening operation in *Kandinsky and Old Russia* (Yale, £40). Weiss's scholarly book shows how important Kandinsky's interest in the folklore of his country really was. Like Joseph Beuys, he was fascinated by the healing powers of the shaman, and the belief that the artist can be a cultural healer.

Beuys is given a major place in Edward Lucie-Smith's *Art Today* (Phaidon, £39.99), a useful, if curiously anonymous, compendious survey of the diverse ways of seeing explored by artists now.

RICHARD CORK

Well-connected pictures of history

Charles Hall reviews the work of John Keane, the war artist, who wears his politics on his canvas



Death knell: John Keane's *Art and revolution* (part 1)

esting juxtapositions, suggestive of unsuspected relationships. One characteristic Gulf work showed an American soldier guarding the Arab owner of a smart red car, who is watching an oil well burn. The picture, entitled *We are making a new world order*, is bordered by large quantities of banknotes. No wonder the tabloids hated him.

Keane's feeling for suggestive juxtaposition often expresses itself in the use of collage. He slaps his evidence down in front of you, daring you to differ from his own conclusions. That is possibly why his best work is done on paper, where his paint flickers and glides quickly, informally over the smooth surface. It is like being cornered by a very witty but frighteningly well

informed dining companion. The sheer speed and conviction of the connections is almost irresistible.

But it can cause trouble when he chooses to work in oil on canvas: here, pleasing insights become lumbering rhetorical flourishes. *Graham Greene and the jungle of human dilemma* is a case in point — a triptych in which the figure of Graham Greene is balanced by a hanged man and a firing squad in front of a cathedral; the central panel is dominated by a caped figure on a horse, with an assortment of exotic fauna, the Virgin Mary and a computer-friendly Zapata rebel on this scale, it is too much to digest.

Keane, though, may have started to identify this problem. *Art and revolution* (part

1) seems to represent something of a departure. We see Trotsky at his desk — a desk littered with, among other things, collaged pages from his essay on the possibilities and duties of revolutionary art. *Historical objectivity and artistic truth*. Behind him we see a silhouetted figure carrying an ice pick — this, evidently, is the moment before his assassination. In one sense, it

is a classic Keane construction. It suggests the extinction of one kind of history painting by another: Trotsky was assassinated on Stalin's orders, and Stalin helped to define the socialist realist tradition which helped to condemn figurative and political painting to the wasteland.

But then Keane has written Trotsky's words on the canvas — not a theoretical statement, but this: "Natasha has just come up to the window from the courtyard and opened it so the air may enter more freely to my room... life is beautiful. Let the future generations cleanse it of all evil, oppression and violence."

The effect is to restore emotional life to a cultural name, and save the painting from its apparent iconography. The painting does much more than communicate a complex argument: it convinces you that the argument really matters.

John Keane at Flowers East (0181-985 3333), until Jan 7

AROUND THE GALLERIES

Jacklin's touch with more evidently considered forms: a suite of six etchings of Hong Kong scenes triumphantly avoids the touristic, going straight for the essence. The subject may be Hong Kong, but the balance of form and feeling is universal. *Marlborough Graphics*, 6 Albemarle Street, London W1 (0171-629 6161); until Jan 27

DO Michael Sandle and David Bomberg go together? Not obviously, perhaps, but when one sees side by side recent sculptures by Sandle and paintings and drawings by Bomberg from his First World War phase connected with the major Bomb Store project, a deeper kinship manifests itself. Sandle is also showing drawings and watercolours, the more recent much freer in treatment than before, and mostly inspired by his fascination with the memorialising and mythologising of war. The sculptures take up the same themes

in more concrete form. There is a one-off tabletop sculpture of hand-wrought bronze (never again, says Sandle) which looks like a memorial slab across which fallen leaves have been blown, or from which the wind is stripping, the surface in great flakes. The message of desolation and dereliction is unmistakable. Superficially, many of Bomberg's works edge over towards abstraction, as though all that interested him in the idea of the Bomb Store was its construction. But the mostly gloomy colouring of the pieces, their general atmosphere of grimness, show clearly enough that though a Vorticist and presumably an admirer of Marinetti, Bomberg never shared the Futurists' delight in war for its own sake. Jason & Rhodes, 4 New Burlington Place, London W1 (0171-434 1768) until Jan 13

JOHN RUSSELL TAYLOR

Christmas on the street — or safe at St Mungo's?

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As well as being a water-colourist and draughtsman of exceptional repute, Paul Hogarth is also a scholar and expert on pictorial journalism. This sometimes promotes a sort of snobbish agonising over his work. Is it real art, or is it highly accomplished reportage? The first thought that occurs in relation to his new show, *Paul Hogarth in Croatia*, is: who cares? There is, of course, an anecdote behind it. Hogarth was much involved, at the beginning of the Yugoslav conflict, with an auction of original art donated to help the restoration of damaged monuments in Croatia. As a token of appreciation, the Croatian Government invited him to come and work in Croatia whenever he wanted. In the event, he has eschewed the obvious: there is only one picture of war damage. Instead, Hogarth has responded to the warmth and happy eccentricity of the people and, overwhelmingly, to the architecture.

There are wonderful evocations of crumbling neo-baroque finery in Zagreb, medieval turrets and bastions, lime-washed seaside houses, and dozens of unexpected oddities. They are mostly beset by funny little cartoonish figures, but there is no doubting the traditional skills that have gone into getting it all right, and genuinely charming. Hogarth is now approaching 80, but who could believe it when faced with all this youth and vitality? Francis Kyle Gallery, 9 Maddox Street, London W1 (0171-499 6570) until Jan 25

THE monoprint is a tricky form. It requires not only quickness of the eye, but quickness of the brush, since the whole effect of the transfer from first surface to second (usually paper) is ruined if the paint has time to dry too much. This is why it is known as a "mono" print, as there is seldom time to pull more than one satisfactory

THEATRE 2



Darlings, you were wonderful: Peter Sellars addresses 200 theatre directors in Cambridge

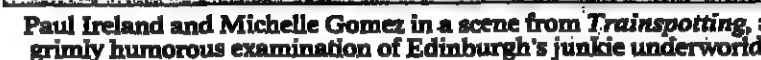
Trainspotting Ambassadors

JEREMY KINGSTON

cal, social, political and scientific all come together."

The other major theme of the arse was that theatre, longer means just plays, all manner of live performance. This was reflected in the workshops — which ranged from sessions on Dutch site-specific theatre, Dutch live art and what one might describe as a Polish rhythmic method — as well as in the accounts of many directors present. Only Michael Blandov stated the uncomfortable truth that in Britain the director is still largely the servant of the text, while on the Continent he or she is more centrally creative — a fact of which directors will have to face up, they are serious about entering into real dialogue with their European colleagues.

The protection seems welcome nonetheless to inspect the more exalted territory. If a director is to be considered to belong to Joan Littlewood, the former director of the Theatre Royal, Stratford East, who was presented with the Directors Guild Lifetime Achievement Award, Her advice was characteristic: forget art and have fun.



break away from their historical isolation. "Directors hardly ever get the chance to focus together on their craft, ideas and relationship to their public," he says.

Such a focus was not especially sharp in the forum. Inevitably, perhaps, the directors spent the weekend sharing anxieties about funding (going or gone) and expressing delight that they were all good eggs. Now that the pleasant-

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and and Michelle Gomez
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ries have been exchanged, future event might develop more dynamic tone.

Despite a certain blandness, however, key themes emerge. One was the insistence that directors have responsibility as analysts, interpreters of society. It's not a new idea, but it is reiterated by Peter Brook, the weekend's most regal tribulation, made by means of video link. "I am with you today and I am not with you tomorrow," he began mysteriously. "This is the most perfect example of the director's responsibility, which is to find a link between what is desirable and what is practicable."

This "virtual" Brook is especially strong on the "desirable": "A certain dream, a certain vision of something extraordinary. Intuitively, I know that theatre is opening where the psychol-

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Adrian Noble is making his film debut, directing *A Midsummer Night's Dream*. Matt Wolf reports

From Stratford to the screen

Outside, the day is raw, grey, suggestive of an all too English winter. But inside a Bray Studios soundstage in Berkshire, neophyte film director Adrian Noble is midway through his cinema version of *A Midsummer Night's Dream*, where thoughts, inevitably, are turned to fairies, not to outdoor frost.

Sweeping a purple cloak behind him, Alex Jennings's Oberon is climbing into a bower — actually an up-turned, pink umbrella — where lies sleeping his fairy queen, Lindsay Duncan's Titania. He sprinkles "love juice" in her eyes, while designer Anthony Ward's forest of lightbulbs shimmers against the sequined backdrop. Duncan's back is playing up but she remains almost preternaturally serene throughout the scene, only to head directly for the osteopath once the shot has concluded.

Noble's concerns extend beyond the health of his leading lady, who returns to the production in fine shape after several days off to rest her back. Making his debut as a cinema director with a £2.5 million film adaptation of his own Royal Shakespeare Company production, Noble must prove that he can hold his own in a profession — Ingmar Bergman and Nicholas Hytner, among others, notwithstanding — not always amenable to directors switching from stage to screen.

In addition, his *Dream* will be up against numerous Shakespeare films due for release next year, including the Kenneth Branagh *Hamlet*; Ian McKellen's *Richard III*; Trevor Nunn's *Twelfth Night*; and the new *Othello*, already opened to mixed reviews. In America, directed by Oliver Parker and starring Branagh and Laurence Fishburne.

"Of course, it's a fantastic gamble," says Noble, 45, discussing a process that has defeated colleagues such as Peter Hall, who directed an indifferently received film of an earlier *RSC Dream* in 1968. The issue, he says, is less "can you transfer the theatre production" than "can you be that cinematically bold in terms of style?"

Says Noble: "I've tried to come at it from a slightly different way, which is exploring the human imagination in all its different forms. Cinema



Helping hand: Noble has written an eight-year-old boy, played by Osheen Jones, into the script. The *Dream* film begins in his moonlit bedroom

as opposed to TV is an absolutely fantastic medium for fantasy. It seemed to me that the script could bear another layer of dreaming beyond those already in the stage production."

Accordingly, Noble has written in an eight-year-old boy (played by cherubic-looking newcomer Osheen Jones), in whose moonlit bedroom the film begins with him leading up into Theseus's mirrored court — "an imaginary world," says Noble, "that is just a great big box in the theatre". The Mechanicals' Scout hut, the director adds, "is much more detailed. I've almost pushed it as far as *Dad's Army*." Keep an eye out for references to *ET* and *The Wizard of Oz*.

That the film is being made at all is due to producer Paul Arnot, a former journalist, who was at the production's first night in Stratford in

August, 1994. "There was such a buzz even by the interval, I thought, this needs to be a film," says Arnot, who immediately wrote to Noble about his plan. The film's retention of most of the original cast — Duncan is the main newcomer — was a bonus, says Arnot. "With other Shakespeares, casting has been up to the last minute. Here, the actors don't need to go into a corner for three hours to say 'I can't find myself in the part'. Their task is to put their performance in a camera, rather than to the back of the stalls."

Still, how easy is that, especially when few of them have extensive film experience? Jennings says his performance will be quieter. "That's what you're meant to do, isn't it? You can't be naturalistic looking like this," continues the actor, who appears heavily made up, his head seeming to sprout feathers. "Or if you can,

I don't know how to be." As for cinema versus the theatre: "With film, so much is out of your control, whereas on stage to a certain extent the buck stops with whether or not you remember your lines."

Duncan came to the film after just 15 performances of the production at the Barbican, and will lead this same company when it takes the stage version on a five-month American tour. "It's down to Adrian to be vigilant about using the medium to best advantage," says Duncan, aware of its vagaries: much of her performance in the forthcoming film *City Hall* ended up on the cutting-room floor. To arrive having played the role on stage was, she says, ideal. "I've never felt so relaxed. To approach something when you know the text is a luxury: the motor's already

running." The irrepressible, and unusually moving, Bottom is Desmond Barrit, whose film credits include "being very bux and dragging Tom Selleck through the mud in *Las Vegas*", which is a nice thing to do with Tom Selleck. His last film was the Peter O'Toole vehicle *Rebecca's Daughters*, belatedly caught by Barrit "in a cinema in Richmond, with two little girls and an old man who snored in the front row".

And what of bringing Bottom and his fellow eager thespians to the screen? "This was easy, really, because they're grounded in reality. The only thing we've done is actually make it better, because of course we have close-ups." The ears have been remade, he reports, for Bottom's transformation into an ass: "It's essentially the same look, but more refined. Each hair is individually attached to my face: it takes forever."

Back on set, Noble is doing repeated takes of scene 13, while the cameraman Ian Wilson checks lenses, and the designer, Ward, who is a veteran from the stage production, confers on clothes with the costume supervisor Lucy Roberts. The umbrella doubling as Titania's bower copies the one from the Barbican minus the hydraulics: "It's much more pure and simple," says Ward.

As for Noble, the film first-timer is feeling at home. "I wasn't Steven Spielberg. I mean, I didn't spend my childhood watching every movie ever made. But like any collaborative effort, if you allow people their voice, you get support. If I say I don't know what the eyeliner is, people will help."

"I've realised that film is complementary to the theatre; it's not like having to speak in Arabic."

Chain reaction at the fourth attempt

The Greatest Music Party in the World is an ambitious title, but the organisers did their best to justify that claim by lining up such diverse names as David Bowie, Rod Stewart, East 17, Eternal and Diana Ross to headline this five-day event. Ross, in her only UK appearance of the year, was to provide the grand finale.

Although most of the crowd looked as if they had come purely to see her, Soul II Soul did their best to win everyone over by opening and closing their short set with their biggest hits, *Keep On Movin'* and *Back To Life*. Then the compere announced that the event would be broadcast to a TV audience of 40 million and called for some participation. Only later did we realise how ominous that reference to the TV audience was.

Ross, looking stunning in an almost dangerously sheer, slinky black dress, ran on stage with a troupe of dancers, to the sound of *Take Me Higher*, the title track from her latest album. Within seconds, however, she had barked at the dancers to stop the song and start it again, warning them to "Do it right this time!" "I can't believe they rehearsed all day and then they did a poor opening," Ross told the crowd, after they had finally

POP

**Diana Ross/
Soul II Soul
Birmingham NEC**

got through it. Unbelievably, she then suggested that they try the song one more time and off they went again.

Perhaps as some kind of recompense, she followed it with a straight run of hits: *Chain Reaction*, *Endless Love*, *Upside Down* and *I'm Still Waiting*.

The show included everything that you might expect — close crowd contact, five costume changes, the classic hits plus a handful of songs from the new album. When the crowd yelled for an encore, Ross wasted no time before choosing *Take Me Higher*. This time round, everyone was on their feet, clapping along and singing the chorus. By now it seemed like one of Ross's greatest hits — but then, it was the fourth time they had heard it in less than two hours. The TV audience will have absolutely no idea of what this crowd endured for their perfect four minutes' worth.

ANN SCANLON

Winter warmer

After introducing himself by assuring his audience that he would spend the next three hours proving that "there is no better place to spend a cold winter's night than in a basement jazz club", New Jersey-born cornet player Warren Vache Jr swung straight into one of Cole Porter's coziest songs: *You'd Be So Nice To Come Home To*.

It set the tone for the evening: there are few more welcoming, warmly joyous sounds than that of the cornet, whether it's crooning gently through a ballad or bouncing exuberantly through up-tempo changes.

Impeccably supported by a British team of Colin Purbrook (piano), Dave Green (bass) and Allan Ganley (drums), Vache skilfully alternated between gentleness and exuberance all night. Having produced a wonderfully lucid, articulate solo, full of carefully restrained fire and pep, for the Porter classic, he eased himself straight into the ultimate

JAZZ

**Warren Vache Jr
Pizza Express**

torch song, *Lower Man*. Drawing fully on the cornet's natural warmth, its burnished, mellow sweetness, Vache contrived to imbue this most emotive of ballads with a melancholy, ringing tenderness without once veering into sentimentality.

Then it was back to straightforward bustling energy: the Kern/Fields warhorse, *Pick Yourself Up*, played at a feverish tempo, and embellished with a throwaway vocal chorus.

All in all, this was a high-class performance packed with lightly borne, informal virtuosity, highly enjoyable and instantly accessible — the sort of gig, in short, in which the venue specialises.

CHRIS PARKER

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CONCERTS: The sound of soul in church; solemn Mass in a concert hall

All this week in St John's, Smith Square, some of Britain's finest choirs will be switching into seasonal mode for the Magenta Christmas Festival. For the most part the prevailing sound will be classic "Oxford college". Even the professional choirs taking part are largely staffed by ex-choral scholars.

But Saturday's opening concert took a refreshingly wider view of the modern British choral tradition. The London Adventist Chorale, 28 of the best singers from Seventh-Day Adventist Churches around the capital, has already won the 1995 Sainsbury's Choir of the Year competition. At St John's it demonstrated just how thrilling a superbly-trained gospel choir can sound.

True, some of its partsongs lift the concept of sentimentality to awesome new heights — the programme ranged from spirituals and Adventist hymns to syncretised versions of Christmas carols. This was not entertainment for people whose tastes in sacred music veer towards the austere.

But then, it was not really

Swing high, sweet chorale

**London Adventist
Chorale
St John's**

entertainment at all. Each song was an intense religious statement in microcosm. Performance and divine worship are, for these singers, one and the same.

That accounts for their fervour. Every number, even those with highly detailed eight-part harmonies, is sung from memory. Each bursts with a dynamic and rhythmic life, a bounce and a brio, quite beyond the experience of most church choirs.

But it does not quite account for the technical brilliance. For this choir's director, Ken Burton, must take credit. Diction, blend and intonation



Conductor Ken Burton

were well-nigh faultless, and the virtuosity all the more remarkable for being thrown off so effortlessly. None of this craft, however, was made an end in itself. What matters to

this choir is warmth: meaning, message.

And the soloists! I cannot imagine another amateur choir in Britain that fields such characteristic solo voices. The soprano drew off stratospheric soul coloraturas with beguiling ease; from the men came beautiful barbershop versions of spirituals.

Yet every performance, even of the most extrovert spiritual, had an overriding nobility and dignity. With some American gospel choirs you do wonder whether it is God who is being celebrated or the singers' own exuberance. That never happened here. Soloists received their acclaim with almost painful modesty. It was devout and moving.

The only curious thing was that an entirely black London choir should give a concert in the centre of London to an almost entirely white audience. Clearly, classical-music venues need to work even harder to counter the perception that they are places where only middle-class whites go.

RICHARD MORRISON

A mass of birthday salutations

**Missa Solemnis
Albert Hall**

players. Much of the conductor's work in 19th-century music, from Beethoven to Wagner, has been with period orchestras, but Sunday's performance of the *Missa Solemnis*. An event that was easy to overlook amid all the seasonal fare currently on offer at the Albert Hall, it nevertheless drew a good audience: many were doubtless eager to discover what an inspiring Beethovenian like Roger Norrington would bring to this masterpiece of the composer's late period.

Not unexpectedly, Norrington galvanised his singers and

Solemnis does not play itself, and Norrington's special achievement was to balance its orchestral and vocal tone-colours in the rolling acoustics of the Albert Hall. He made the opening Kyrie taut and muscular, a contrast to the exploding *Gloria* that followed; the chorus showed real virtuosity in its articulation here and in the subsequent fugue, to which Norrington brought exhilarating bounce.

He and his players conjured up a feeling of awe in the orchestral Præludium to the Sanctus, with Michael Davis contributing a violin solo of

intimate expressivity. The "war and peace" struggles of the *Agnus Dei* were resolved gracefully, gracefully, and with a mixture of discipline and spontaneity.

The tenor Steve Davislim provided some of the evening's most pleasing singing. His tone is fresh and lyrical, but he is capable of projecting it with power. Amanda Halgrimson rode the top lines in good, firm voice, and Alistair Miles balanced her with his well-sculpted bass. Sarah Walker completed an excellent ensemble.

JOHN ALLISON

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Times writers give their Christmas selections of the best in sporting literature in 1995

Revealing view from front row

THERE were several Englishmen, a Scotsman, an Irishman, a Welshman and an Australian, and all of them wanted to write a book. On second thoughts, a publisher somewhere wanted a book with their name on it. Thus the market has been swamped with rugby union offerings on the back of the sport's most successful World Cup so far.

In the case of the English, Brian Moore, Jeremy Guscott and Dean Richards all explore to some degree the territory already covered by the likes of Will Carling, Rob Andrew, Rory Underwood, Jeff Probyn, Wade Dooley and Stuart Barnes. How much soul-searching can the years of the rose stand?

Happily, Moore, in conjunction with Stephen Jones, has come up with a work which typifies the man. You do not have to like Moore to appreciate his autobiography, indeed many would argue that the "Pit Bull" is the last person they would invite to express a view on rugby

thought. Far better to put down Moore's book thinking of the future than to put down another tome and ponder why yet another player should have been lured into print.

Of the other nations, Nick Popplewell offers a breezy look at his years in Ireland's front row, Gary Armstrong a somewhat jaundiced glance through recent Scottish history. An offering from Wales, however, has been rare in recent years so Iwan Evans's *sometimes* pained look back at the decline of the Welsh dragon has a validity of its own.

As captain of Wales, his personality brought dignity to a nation desperately in need of such a quality. When an horrific injury in 1994 threatened to terminate his career, the letters of sympathy poured in from all over the world. When he was stripped of the captaincy this year, his first thought was retirement. Then, the steely inner core of determination, which had carried him through so many earlier injury crises, told him to stay on and prove himself yet again.

Australia's contribution should have been a notable one, the subject being the world's greatest points accumulator, Michael Lynagh, and the author being his one-time captain, Andrew Slack. But somehow the book misses the target. One suspects a heavy editorial hand stopped Slack being as analytical as he might have been.

□ **Brian Moore**, with Stephen Jones (Farringer Press, £16.99).

□ **Poppy**, *Time to Ruck and Roll*, Nick Popplewell with Liam Hayes (Hera Books, £9.99).

□ **Jethart's Here**, Gary Armstrong and Derek Douglas (Mainstream Publishing, £14.99).

□ **Bread of Heaven**, Iwan Evans and Peter Jackson (Mainstream Publishing, £14.99).

□ **Noddy**, *The Authorised Biography of Michael Lynagh*, by Andrew Slack (William Heinemann Australia, £16.99).

DAVID HANDS



Arnold Palmer's emotional farewell at the Open Championship at St Andrews this year is just one episode in the illustrious history of the course that has inspired many books

Loving tribute to Hogan leads the field

NEVER, surely, have so many golf books been published in one year. The famine of 1994 was followed by a feast. Piled one on top of another, which for some is the best place for them, they are half the length of Sam Torrance's punter.

The quality of John Feinstein's *A Good Walk Spoiled* (Little, Brown, £17.99) was noted when it won the William Hill Sports Book of the Year. Lauren St John's *Out of Bounds* (Partridge Press, £16.99) did for the European tour what Feinstein's did for the US tour. St John's, though, has the added advantage of not presenting a garden in which everything is wonderful.

Scarcely a week passed these past 11 months without a new book or a new edition appearing. The J. R. Hartley of fishing fame, created for a Yellow Pages adver-

tisement, was widened to encompass a slight book (Hodder and Stoughton, £9.99) in which the old boy turns to golf. Some good lines, some good jokes and the author knows his Muirfield from his Mill Ride. I wonder who wrote it?

No doubt who wrote *The Art of Coarse Golf* (Robson Books, £6.99). In a sport that can take itself too seriously, Michael Green remains hopeless at the game and funny about it. "Since this modest volume was first published, some of the Rules of Golf have changed," he writes in an introduction to the latest edition. "I haven't altered the text, however, as a) I never did know the blasted rules anyway, and b) they keep on changing them."

John Behrend's book about the history of the Amateur Championship, *The Amateur* (Grant Books, £13.95) is a welcome work

GOLF

of scholarship, as is *The Dawn of Professional Golf* (Hobbs and McEwan, £25) by Peter Lewis, director of the British Golf Museum. And for thoroughness, the labours of Bob Sommers, an American Anglophile, in *Golf Anecdotes* (Oxford University Press, £16.99) takes some beating.

Since John Daly stunned us all in the Open at St Andrews, the Scottish city has been in our minds more than usual. Four excellent books made sure it remains that way. *The Spirit of St Andrews* (Sleppin Bear Press, Chelsea, Michigan) is the testament of Dr Alister MacKenzie, one of the greatest of all golf course architects. *Golf at St Andrews* by Keith Mackie (Aurum Press, £25) is as its title suggests.

In *The Dream Ryder Cup* (Blandford Press, £17.99) Derek Lawrenson fantasises for 184 pages about a match between the ultimate United States and European teams at St Andrews.

Of the offerings to do with St Andrews, I most enjoyed *St Andrews & Golf* (Market Street Press, 325 West Fifth Street, Cincinnati, Ohio) because it contains scarcely a single photograph. The original and thoughtful text, written by Ben Crenshaw, Herbert Warren Wind, Michael Bonalack, Nick Faldo, Lady Heathcote-Amory, Peter Thomson and Joe Carr, among others, is illuminated, instead, by excellent drawings by Arthur Weaver.

The year's best golf book is the magnificent *The Hogan Mystique* (The American Golfer Inc, 135 East Putnam Avenue, Greenwich, Connecticut). Around some of the

best golf photographs of Ben Hogan, four Americans have written loving essays.

Also received:

□ **Harvey Penick's Little Blue Golf Book** (Harper Collins, £9.99).

□ **The Lazy Golfer's Companion**, by Peter Alliss (Collins Willow, £12.99).

□ **Golf in a Nutshell**, by John Jacobs and Peter Dobereiner (Hodder and Stoughton, £9.99).

□ **The Ultimate Encyclopedia of Golf**, by Ted Barrett and Michael Hobbs (Hodder and Stoughton, £18.99).

□ **Mind Swings**, by Richard Masters and John Burns (Aurum Press, £9.99).

□ **The Architectural Side of Golf**, by H N Wethered and T Simpson (Grant Books, Droitwich, £45).

JOHN HOPKINS

How to realise Utopian dream

LONG life and happiness through health and sex into your seventies — a physical utopia. Which super-drug can provide it? Swimming, according to Phillip Whitten, an anthropologist and gerontologist, who takes the plunge every day and has achieved a level of fitness in middle age that most teenagers would envy.

The title of Dr Whitten's work is more general than the topic actually tackled, but that is the biggest criticism of a splendid celebration of a sport. *The Complete Book of Swimming* is not about Olympic champions, the endless ploughing of pools, length after length of pain, a gold medal the only incentive. Rather, it is concerned with

SWIMMING

swimming as a panacea for life's wear and tear. It is the most popular recreational exercise in the fitness-focused United States. Why? Because swimming is the best form of exercise, for cardiovascular fitness, overall muscle tone and kindness to joints, with solid scientific and instructive anecdotal evidence.

Dr Whitten introduces the reader to masters swimmers (over-25s) who are not only taking the plunge in their eighties, but still "racing" at a ripe old age, albeit for fun. Useful thumbnail sketches provide basic instruction in the four separate strokes — butterfly, backstroke, breaststroke and freestyle (crawl).

The section likely to appeal most widely is perhaps that headed: "Swimming and Sexuality: how to enhance your love life." A pioneering study has proven, according to Dr Whitten, that swimming "profoundly improves your love life." Enjoy the read.

□ **The Complete Book of Swimming**, by Phillip Whitten (Random House, £14.99).

CRAIG LORD

Classic portraits of two opinionated winners

RACEHORSES and books about the "Turf" have one important similarity. Out of every eight that come before the public, there is, on average, only one winner. The rest are moderate — or worse.

In 1995 there has been the usual plethora of publications, a fair share of which are fated to gather dust on a top shelf, where they belong. However, it is fitting that, after a summer which saw Lammtarra and Frankie Dettori tower above their rivals, two books have been written which are classics in their own right.

If you enjoy reading about racing or are looking for a last-minute Christmas present for a racing fan, then go out and buy *The Duke* or *Bull*. Preferably, treat yourself or a friend to both.

The Duke is an autobiography of David Nicholson, the champion National Hunt trainer, who gained his nickname long ago because of his somewhat lordly behaviour. Even he would admit, there are times when he can be a prickly so-and-so.

"I like things done properly. If I think something is wrong, even if it is nothing to do with me, I have a habit of pointing it out. Winning is not everything to me, but trying to win is. That is the way I have always been, though sometimes in the evenings, over a glass of brandy, I do laugh at how seriously I take it all," he says in the concluding paragraph.

Unlike so many autobiographies, this is not a dull monologue littered with sickly

RACING

platitudes. Instead, it is a witty and all look that reveals his failings as well as his many successes, the faults in his character as well as the good side of his nature.

After a year working on the book with Nicholson and his wife, Dinah, Jonathan Powell has not only unearthed some fascinating anecdotes and hilarious moments, but has captured the essence of the man whose name is synonymous with jump racing. All that is missing is the pointed finger which, on various occasions, has been prodded by Nicholson into the chest of some unsuspecting journalist or jockey.

Phil Bull, who probably did more than any other person to influence racing and the way people bet, was another man who did not suffer fools gladly. The founder of *Timeform*, the Halifax-based racing analyst who now enjoys a worldwide reputation, was one of the most successful backers of racehorses since the last war, winning the modern-day equivalent of £45 million.

However, Bull was much more than just a professional punter. He was a racehorse breeder and owner, a radical political thinker and philosopher, and a constructive reformer who campaigned, often successfully, for much needed change within racing.

Howard Wright was granted

access to a wealth of private correspondence in compiling this much-needed and fascinating biography. Bull could be cantankerous, abrasive and contradictory, and his personal and sexual life was colourful, to put it mildly. But, above all, he was a genius and Wright has done him proud in an enthralling book which is a must for any racing fan.

□ **The Duke, the Autobiography of Champion Trainer David Nicholson** (with Jonathan Powell) (Hodder and Stoughton, £18.99).

□ **Bull: The Biography**, by Howard Wright (Portway Press Limited, £18.95).

RICHARD EVANS

Focus on heroes of pedal power

AT LAST, a British publisher has plugged a yawning gap in the home market and produced a comprehensive cycling year book. Until now only overseas publications — such as the excellent *Velo* annual — were able to slake the thirst of the sport's information seekers.

Cycling Weekly Yearbook, compiled by Martin Ayres, is to be welcomed not only for its wealth of coverage of the domestic 1995 season, and a forward look to 1996 but also for the way in which leading international events are chronicled.

And there is more: a who's who in Britain and a separate section of profiles of the champions who made headlines throughout the world plus a

CYCLING

top ten selection of state-of-the-art equipment. Indurain, Jalabert, Rominger, Pantani and O'Brien feature among the 90 or so photographs which complement the editorial. The book looks set to edge its way in alongside the established *Wisden* and *Rothmans* annuals, which serve cricket and football.

The Automobile Association and bicycles, would, at first sight appear to be poles apart, but someone at AA headquarters has spotted common ground, resulting in the publication of 30 cycle rides in Britain and Ireland.

It is a concept which meets the desire of many motorists to exchange motorway driving for pedal power. Suggested routes (from 15 to 32 miles) are illustrated with detailed maps.

□ **Cycling Weekly Yearbook 1996** (Annals Publishing Limited, £9.99).

□ **Fifty Cycle Rides in Britain and Ireland** (AA Publishing, £10, from Marks & Spencer stores).

PETER BRYAN

Intense growing pains of Graf

HER breasts were once too large "for playing tennis", according to her father. Her nose should have been cosmetically reconstructed, according to American marketeers. On court, she gave the impression that she was "budgeting the housekeeping money", according to Ted Tilling.

The subject is Steffi Graf and the portrait is far from flattering. The biography carries the subtitle "Public Power, Private Pain" and asserts that her father, a former second-hand car dealer, has been responsible both for developing the former and inflicting the latter.

Sue Ready's book contains one epilogue — proclaiming that Graf has rejected the prospect of undergoing corrective surgery on her back after being told by doctors that she would have to be "opened up from the front" — and needs another. Publication preceded the latest family upheaval.

Peter Graf imposed a heavy influence on his precociously talented daughter but initially at her own insistence. She was single-minded about her work, in a sport which then offered a comfortable living rather than a fortune, even before she had reached her teenage years.

"What am I to do — smile or play tennis?" she retorted when a practice partner advised her to relax during a warm-up. She went on to become the youngest

TENNIS

girl ever to turn professional and her subsequent success has been well documented, in this book as well as elsewhere.

First impressions were not always favourable. Tracy Austin, a gifted rival who was to succumb to injury and fatigue, reckoned that there were "hundreds like her back in the States". No one, though, possessed the same blinkered dedication. Graf, herself, admits to being "addicted" to tennis.

She has threatened to leave it on several occasions, first when she was only 15, but has so far



Graf: single-minded but under the influence of her father

become independent only from her father, now incarcerated in Germany for alleged tax evasion. The author can give no clear indication as to what may fill the void once Graf retires from the game.

Marriage, perhaps? She left her first boyfriend, Alexander Moenz, not long after he had described women competitors as "untrained little dumplings who play ping-pong". For the past three years she has been accompanied by Michael Bartsels, a racing driver introduced to her by her brother.

Intriguingly, the author mentions that Graf "developed a crush on a young English journalist". The youth in question, who shall remain nameless for his own sake, was aware of the enduring interest but, during the past few months, has asked another to be his wife.

Graf also features in the *Official Wimbledon Annual* and one of the many lavish illustrations captures a rare occurrence. She is pictured in earnest discussion with an umpire during the fortnight which she was to finish, as usual, as a champion.

□ **Steffi. A Biography — Public Power, Private Pain**, by Sue Ready (Virgin, £12.99).

□ **The Official Wimbledon Annual 1995** (Hazleton, £18.99).

STUART JONES

Sure way to figure out the best of the best

STATISTICS are part of the lifeblood of sport. Records, scores, timings, distances, weights and measurements play both a critical role in the staging of many activities and affect our appreciation of the worth of performance.

Just as the number of sports events has proliferated over the years, so have the number of statistical books. Facts and figures are better researched than they have ever been. Histories of sports, of clubs and of competitions abound. Simple details, such as dates of birth of footballers, unobtainable 30 years ago because clubs refused to give them, are now readily available and extensively published.

Wisden has remained the standard by which other annuals are judged, even if statisticians this year claimed that it contains inaccuracies in its older editions. The *Rothmans* annuals have become established works over the past 25 years and it is to be hoped that the same will apply to the *BBC Radio 5 Live Sports Yearbook*.

Edited with diligence and enterprise by Peter Nichols, it succeeds not just in being a compilation of the results of the main events of 1995 but also by including some idiosyncratic commentaries on them.

With a flick through the 442 pages, a kaleidoscope of memo-

GENERAL

ries from the year returns. In addition, the book lists useful details such as addresses of the national governing bodies and the schedule for the coming Olympic Games.

Peter Matthews has been the most meticulous of television commentators, a man steeped in the history of sport. Although his original interest was athletics, his work as editor of *The New Guinness Book of Records* has ensured he has ranged far and wide in his quest for knowledge.

Two books, published this year, *The Encyclopaedia of International Sports Records and Results* and *All-Time Greats of British and Irish Sport*, are the latest consequence of his research and provide the detail to heighten our appreciation.

□ **BBC Radio 5 Live Sports Yearbook**, edited by Peter Nichols (Oodball Publishing, £12.99).

□ **All-Time Greats of British and Irish Sport**, edited by Peter Matthews and Ian Buchanan (Guinness, £12.99).

□ **The Encyclopaedia of International Sports Records and Results**, edited by Peter Matthews (Guinness, £15.95).

JOHN GOODBODY

THE EUROPEAN CHAMPIONSHIP DRAW AND THE WAY TO WEMBLEY IN 1996

GROUP A
Wembley and Villa Park

ENGLAND
Priced reasonably at 7-1 purely on home advantage. Resilience and desire are strengths. Gascoigne the enigma.

SWITZERLAND
Qualifying was their cup final. Roy Hodgson is now a part-timer and his workmanlike Swiss squad rate no higher than 50-1.

HOLLAND
The skills to win it, the defensive vulnerability to lose it, third place at best. Maturing physically and mentally. 9-2 favourites.

SCOTLAND
Craig Brown moulded the whole around McAllister as greater than the parts. 50-1 odds no insult, quarter-finals an achievement.

GROUP B
Elland Road and St James' Park

SPAIN
Tough, hard, collective Basque principles. The team has been consistent and should reach the semi-finals. 7-1 is a fair bet.

BULGARIA
Who knows if Stoechkov and co can rekindle the motivation of USA 92? If effort is allied to technique, 16-1 are odds worth taking.

ROMANIA
Hagi lies fallow between tournaments that inspire him. USA 92 was a historical high point but uncertainty reflected in odds of 16-1.

FRANCE
Dropped Gendou and Ginola and discovered team effort. Capable of a quarter-final place and fairly priced at 10-1.

GROUP C
Old Trafford and Anfield

GERMANY
Tournament mentality second to none, now prepared to allow individual expression. Good value at 5-1. Potential winners.

CZECH REPUBLIC
Inconsistent, technically sound, but too few players can raise their game more than once a week. 20-1 odds unattractive.

ITALY| After interminable hiding the coach believes he has sorted his team. Tougher than in 1994, should reach the final four. 5-1 odds. |

RUSSIA| Underestimate them at your peril. The Russians often get tournament momentum, then run out of self-belief. Hence 20-1 odds. |

GROUP D
Hillsborough and City Ground

DENMARK| Defending champions, but bookmakers who offer 25-1 are no fools. The high status was a snuff-out that will not be repeated. |

PORTUGAL| Pretty on the eye, technically gifted, but unproven in the rigours of tournament play. At 10-1 a reasonable bet. |

TURKEY| Stubborn and over-reliant on Hakan, their one proven scorer. Capable of making life difficult but no fortune to be won at 50-1. |

CROATIA| Depends on the first XI remaining fit. No tournament experience, but skills as good as any. 14-1 generous odds. |

FIRST-ROUND MATCHES AND VENUES

Venue	Match	Time
Old Trafford	Sunday June 9: Germany v Czech Republic	5.00pm
Old Trafford	Sunday June 16: Russia v Germany	3.00pm
Old Trafford	Wednesday June 19: Italy v Germany	7.30pm
Anfield	Tuesday June 11: Italy v Russia	4.30pm
Anfield	Friday June 14: Czech Republic v Italy	7.30pm
Anfield	Wednesday June 19: Russia v Czech Republic	7.30pm
Villa Park	Monday June 10: Holland v Scotland	4.30pm
Villa Park	Thursday June 13: Switzerland v Holland	7.30pm
Villa Park	Tuesday June 18: Scotland v Switzerland	7.30pm
St James' Park	Monday June 10: Romania v France	7.30pm
St James' Park	Thursday June 13: Bulgaria v Romania	4.30pm
St James' Park	Tuesday June 18: France v Bulgaria	4.30pm
Elland Road	Sunday June 9: Spain v Bulgaria	2.30pm
Elland Road	Saturday June 15: France v Spain	6.00pm
Elland Road	Tuesday June 18: Romania v Spain	4.30pm
Hillsborough	Sunday June 9: Denmark v Portugal	7.30pm
Hillsborough	Sunday June 16: Croatia v Denmark	6.00pm
Hillsborough	Wednesday June 19: Turkey v Denmark	4.30pm
City Ground	Tuesday June 11: Turkey v Croatia	7.30pm
City Ground	Friday June 14: Portugal v Turkey	4.30pm
City Ground	Wednesday June 19: Croatia v Portugal	4.30pm
Wembley	Saturday June 22: England v Switzerland	3.00pm
Wembley	Saturday June 15: Scotland v England	3.00pm
Wembley	Tuesday June 18: Holland v England	7.30pm

THE FINAL STAGES

QUARTER-FINALS

WEMBLEY
Saturday June 22: Winner group B v Runner-up group A
6.30pm

WEMBLEY
Saturday June 22: Winner group A v Runner-up group B
8.30pm

OLD TRAFFORD
Sunday June 23: Winner group C v Runner-up group D
8.00pm

VILLA PARK
Sunday June 23: Winner group D v Runner-up group C
8.00pm

SEMI-FINALS

WEMBLEY
Wednesday June 26: Anfield winner v Villa Park winner
4.00pm

WEMBLEY
Wednesday June 26: Old Trafford winner v Wembley winner
7.30pm

FINAL

WEMBLEY
Sunday June 30: Winner of semi-finals
7.00pm

Old enemies unite to prevent trouble at Wembley

By OUR SPORTS STAFF

A CAPACITY crowd of 76,000 will watch the first football match between England and Scotland in seven years, at Wembley on June 15 next year. Thousands of supporters jammed telephone hotlines yesterday, hoping to buy tickets, after the two countries were drawn in the same group in the European championship finals and Euro '96 officials confirmed that the game is already a sell-out.

England and Scotland will hold a series of security meetings to safeguard against crowd trouble. The annual fixture be-

tween the two countries was abandoned after England's win at Hampden Park in 1989 because of repeated hooliganism. One of the worst incidents, in 1977, involved Scotland supporters, who invaded the Wembley pitch, dug up the turf and damaged the goalposts, and the demise of the traditional season-ending attraction spelt the end of the home internationals.

Yet officials were eager to play down "fears of a renewal of old rivalries" yesterday. Glen Kirtan, the tournament director, insisted the match would not present special security problems. "This is a major sporting event, with every match

presenting a prospective security challenge, but Scotland no more so than any other side," he said. "It was time England started playing Scotland again anyway."

Jim Farry, the Scottish Football Association (SFA) chief executive, said Willie MacDougall, the SFA's security adviser, would be setting up meetings with the Football Association and Uefa. "We've been in close contact with the FA and now there will be a regular dialogue with them and Uefa," he said.

Terry Venables, the England coach, hinted that a fixture between the old rivals could be revived on a regular basis in the

event of a trouble-free meeting in June. "The behaviour of fans will be looked at closely and everyone will hope nothing messes up the future of the fixture," Venables said. "Craig [Brown, the Scotland manager] and I have wanted to play each other for a long time but the powers that be thought that it wasn't right."

The depressing news for Scotland supporters yesterday was that there is only likely to be an increase of 2,000, if any, on Scotland's original ticket allocation of 7,000 for the match.

Scotland may receive greater allocations for their two games at Villa Park,

against Holland on June 10 and Switzerland on June 18, although tickets are selling fast at the Birmingham venue.

Venables held informal talks with Graham Kelly, the FA chief executive, at the weekend to discuss the proposal of Sir Bert Millichip, the FA chairman, to put him in charge for the 1998 World Cup and beyond. Venables has been told he can prepare his own warm-up programme for the European championship. The FA has told him that he does not have to play crowd-pullers or crowd-pleasers, only anyone he believes will put England in the right shape for their group games.



Venables: discussing new terms

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(b) If you apply for tickets for at least three group matches you can also apply for up to four tickets for one of the semi-final matches. However, you cannot apply for a greater number of tickets for the quarter-finals than for group matches. Eg, if you request two tickets for three group matches you

can only apply for a maximum of two tickets for the quarter-finals.

(c) If you apply for three group matches and a quarter-final you can apply for up to four tickets for one of the semi-final matches. Again, you can't request more tickets than you do for group matches.

(d) Tickets for the final can only be requested if you have followed (a), (b) and (c) above. You can apply for a maximum of two tickets as follows: if you apply for four tickets for a semi-final game you can apply for two tickets for the final. If three or

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2	X	
3	X	
4	X	
5	X	X
6	X	X
7	X	X
8	X	X
9	X	X
10	X	
11	X	X
12	X	X
13	X	X
14	X	X
15	X	
16	X	
17	X	
18	X	
19	X	X
20	X	X
21	X	X
22	X	X
23	X	X
24	X	
25	X	
26	X	
27	X	
28	X	X
29	X	X
30	X	
31	X	

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Signature:

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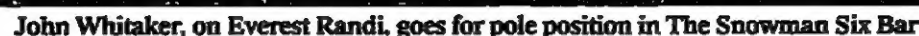
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هكذا من الأصل

BY JENNY MACARTHUR

Olympia has proved a baptism by fire for the young horse. "When I first rode him in the arena on Thursday, he

A hush descended as Goosen trotted into the arena.



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TUESDAY DECEMBER 19 1995

South Africa select 18-year-old left-arm slow bowler for fourth Test

Adams spins unorthodox tale

FROM ALAN LEE
CRICKET CORRESPONDENT
IN DURBAN

IT HAD been the week's worst-kept secret in these waterlogged parts but it was announced yesterday with pride and ceremony yesterday. Paul Adams, a pioneer for the brave new world of cricket in a united South Africa, was officially elevated to international status and will become his country's youngest Test player when he makes his debut against England in Port Elizabeth on Boxing Day.

While England spent the day confronting a chaotic legacy of the uncommonly wet weather and pondering the possibility of breaking up their established opening pair, South Africa was garlanding a new symbol of sporting and political advancement. For, even at 18, youth is not the most remarkable thing about Adams.

He is a bowler of staggering unorthodoxy, delivering his left-arm wrist spin with a flurry of arms while his head points at the ground behind him. His is a triumph over zealous coaches, who have wined at his ways, as much as it is a triumph for his background. A Coloured from the humble Cape Town suburb of Grassy Park, Adams is the first graduate of the development programme in disadvantaged areas to attain Test level, and he has done so after only five first-class games.

Peter Pollock, the convenor of the South Africa selectors, pragmatically resisted the clamour for Adams's promotion which followed his nine wickets against England in Kimberley six weeks ago. "The selection game is a pressure game," he explained yesterday. "But the time is right now and we have not picked him for any other reason but the belief that he can fit into our strategy for the last two Tests."

Pollock, bristlingly denied that there was any coercion to play Adams, either for political points or to restore public interest in a series plagued by rain. "We are not in the business of boosting the series. We are in the business of beating England. I'm not a gambler and there is no gamble involved here. The balance of our side has been



Illingworth, left, and Atherton consider England's next move in Durban yesterday after the third Test was abandoned on the final morning

set up to accommodate Adams and use his skills to the full."

A second spin bowler has been chosen in the South Africa 13 and, intriguingly, it is not Clive Eksteen. He loses his place in the squad after three Tests to make way for Nicky Boje, who bowled so well with Adams at Kimberley. Pollock, while hinting strongly that Adams is a certain starter in Port Elizabeth, said that the pitch will determine whether Boje, 22 and uncapped, is also used.

The meteoric speed of Adams's rise can be gauged from the fact that he was not even chosen in the South Africa Under-19 squad that toured England last summer. He was known to the selectors but one of their number stood out against his inclusion, be-

lieving he would be regarded as "a joke". And so it was not until the autumn, when Adams took wickets for South Africa's development side in Tanzania, that his immediate potential was recognised.

He has come under the wing of a variety of international players, Conrad Hunte, Clive Lloyd and Eddie Barlow prominent among them. To their credit, none has tried to alter him, so a wide audience can now marvel at the control he imparts from an apparently impossible contortion. "It's the most unusual action I have ever seen," Raymond Illingworth said yesterday. "But he can obviously bowl."

The England manager had more pressing concerns yesterday, such as where, and when, his players might manage to play some cricket. The

rain in Durban, incessant for three days, was at its worst yesterday and the third Test was summarily abandoned at breakfast-time. England were also, initially, informed that there was no prospect of starting their scheduled three-day game against a student

Knight shines 42

team in nearby Pietermaritzburg tomorrow. The motorway connecting the towns is impassable, through floods and mud-slides, and if they did complete the journey, it was said, they would find a ground under water.

Local authorities were hoping England would settle for a one-day game, the facile solution to all ills here. England,

having fallen for that one before, quite properly declined. Switching the venue of the match was considered but rejected and, late last night, the original plan still applied.

Jason Gallian, the replacement for the injured John Crawley, arrives here today and his role in the next Test could be to resume his Lancashire opening partnership with Michael Atherton. Alec Stewart's consistent failure to consolidate promising starts seems likely to result in his re-casting at No 3.

Since his last Test century, against New Zealand at Lord's in 1994, Stewart has reached 50 only twice and on both occasions he was batting in the middle order. As an opener, in that time, his 16 innings include only three single-figure dismissals but nine be-

tween 24 and his top score of 45.

Illingworth admitted yesterday: "We have spoken to Alec two or three times on this tour because England opens should not get out to the kind of shots he has been playing. Anyone can get bowled out in the first few overs but it is disappointing when people get in and then get out. If you get into the 30s and 40s, as Alec has been doing, you have to go on to make a score. We will probably play all three openers in the next Test and it is possible Alec will drop down to No 3."

One issue, at least, was resolved yesterday. Phillip DeFreitas, who is playing for the Boland provincial side, will join the England party for the seven one-day international matches at the end of the Test series.

RUGBY UNION 42

SELLA CONSIDERS
TRANSFERRING TO
THE ENGLISH GAMEKelly demands
help for clubs
chasing glory
in Europe

By RUSSELL KEMPSON

MANY is the time the Football Association has been vilified for reacting slowly, or not at all, when action has been called for. Yesterday, the FA made a positive response to the dismal record of English clubs in European competition this season, with Graham Kelly, the chief executive, launching a campaign to assist those in need.

If the proposals are approved by the FA Premier League and Football League, clubs will be given four days clear of domestic fixtures before they take part in European competition. It has also been mooted that the same clubs should be given the option of a bye in the two-legged second round of the Coca-Cola Cup.

"We must help our clubs to be successful in Europe," Kelly said. "English teams have under-performed over the last five seasons. We have had some success, but not serious success, and certainly not in the Champions' League. We want to raise the standing and prestige of English football."

Nottingham Forest are the sole survivors from England's original six-strong continental challenge this season, with Manchester United, Leeds United, Blackburn Rovers, Everton and Liverpool falling by the wayside. Forest have reached the quarter-finals of the UEFA Cup, in which they play Bayern Munich, but more attention has been focused on Blackburn's miserable efforts in the European Cup Champions' League, Europe's premier competition. They won only one of their six group B matches.

Leading managers, including Ray Harford, of Blackburn, Alex Ferguson, of Manchester United, and Frank Clark, of Forest, met with FA officials and Terry Venables, the England coach, to discuss the matter. They agreed that the time factor was central to the issue. "We have got to find a way of sending out our clubs without one arm tied behind their backs," Kelly said.

The FA's initiative is not only prompt but welcome, especially for clubs involved in the UEFA Cup, which stages its ties on Tuesdays. Those com-

peting in the Champions' League and Cup Winners' Cup play on Wednesdays and Thursdays respectively, giving them a longer recovery period from matches played the previous weekend.

However, opposition may come from television companies, who could lose their best fixtures of the weekend, and club chairmen, who might be worried at the temporary loss of gate receipts. The sponsors of the Coca-Cola Cup might not be too impressed, either.

Kelly is also keen that English clubs take a more serious approach to the Intercontinental Cup, which is staged during the summer and offers the reward of a UEFA Cup place to its most successful

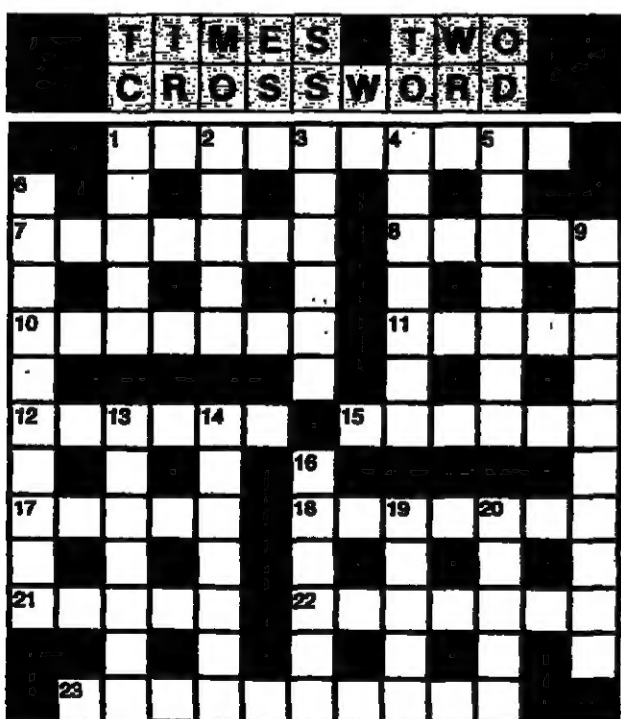
Southampton sign
young goalkeeper

SOUTHAMPTON have signed Neil Moss, 20, a goalkeeper, from Bournemouth, in a deal that could be worth £500,000 to their second-division neighbours. Moss, who has played only 21 Endsleigh League matches, will cost Southampton £250,000, with Bournemouth to receive a similar amount again — depending on appearances. Lawrie McMenamy, the Southampton director of football, said: "We see Neil very much as one for the future."

After Tottenham Hotspur and Wimbledon fielded almost unrecognisable sides, at a variety of venues, last summer, UEFA retaliated by withdrawing England's fourth place in the UEFA Cup next season.

"Our Intercontinental showing was a fiasco," Kelly said. "The Premiership clubs should stop shilly-shallying and give a definitive answer as to whether they are interested in competing in it. I believe they should enter. It perhaps doesn't fit our fixture pattern, but things are changing in football and we cannot keep putting our heads in the sand."

Wembley sell-out, page 40
Full fixture guide, page 40



No 656

- ACROSS**
- 1 Becky Sharp novel (Thackeray) (6,4)
 - 7 Maths. using symbols (7)
 - 8 Awry (5)
 - 10 Velvet etc. hair-ribbon (7)
 - 11 Cut; a spice (5)
 - 12 On time; give hint (6)
 - 15 Old name of Iran (6)
 - 17 Criminal organisation (5)
 - 18 Feeling guilt, remorse (7)
 - 21 Pleasure boat (5)
 - 22 Prepares for exam; changes (7)
 - 23 Basic facts; real business (5,5)
- DOWN**
- 1 Non-user of animal products (5)
 - 2 Exalted (5)
 - 3 Utensil; silly storm in it (6)
 - 4 One's future bride (7)
 - 5 Shackled (2,5)
 - 6 Spineless, feeble (5-5)
 - 9 Air hostess (10)
 - 13 One holding commission (7)
 - 14 Early Roman dramatist (7)
 - 16 Poor attic room (6)
 - 19 Devastation, chaos (5)
 - 20 Jewish lawgiver (5)

SOLUTION TO No 655

ACROSS: 1 Mary; 5 Grim; 9 Feature; 10 Negate; 11 Vehement; 12 Outcry; 15 Amoeba; 18 Tableau; 20 Urmot; 22 Earnest; 23 Rite; 24 Safari.

DOWN: 2 Alfred; 3 Traverse; 4 Rouse; 6 Ring; 7 Mortar; 8 Mentor; 13 Tone-deaf; 14 Matter; 16 Mutter; 17 Musier; 19 Burns; 21 Oust.

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FINAL SCOREBOARD FROM DURBAN

South Africa won toss		A A Donald b Illingworth 32		D G Cork not out 23	
SOUTH AFRICA: First Innings		Edms (to 4, no 7) 11		Total (5 wickets, 48.1 overs, 221 mins) 182	
G Klaasen c Hick b Martin 8		Edms (to 4, no 7) 11		J P Crawley, P J Martin, M C Ilett and R K	
A C Hudson c Crawley b Illingworth 45		Edms (to 4, no 7) 11		Burgess did not bat	
W J Cronje c Martin b Illingworth 8		Edms (to 4, no 7) 11		FALL OF WICKETS: 1-2, 2-13, 3-43, 4-93, 5-108	
D J Gullian c Smith b Martin 10		Edms (to 4, no 7) 11		BOWLING: Donald 12.1-15.7-2; Pollock 15.2-38.0; Matthews 12.5-31.3; McMillan 9.2-21.0	
J N Rhodes b Ilett 36		Edms (to 4, no 7) 11		Umpires: SA Buzsator (West Indies) and D L Orchard. TV replay umpires: K E Lushington. Match referees: C H Lloyd (West Indies)	
B M McMillan c Russell b Martin 26		Edms (to 4, no 7) 11		RESULTS: First Test (Pretoria): drawn	
J H Kallis c Russell b Martin 1		Edms (to 4, no 7) 11		Second Test (Johannesburg): drawn	
S M Pollock not out 36		Edms (to 4, no 7) 11		TESTS TO COME: Fourth (Port Elizabeth) Dec 26 to 30. Fifth (Cape Town) Jan 2 to 6.	
C R Matthews b Ilett 0		Edms (to 4, no 7) 11		Compiled by Bill Fendall	



Adams: meteoric rise to Test cricket

Swiss team provides
berth for Herbert

By OLIVER HOLT

JOHNNY HERBERT gained a belated reward for his new-found status as a grand prix winner yesterday when he beat Mark Blundell to the best remaining Formula One drive for next season. The irrepressible Englishman will line up alongside the highly-rated German, Heinz-Harald Frentzen, for Sauber-Ford.

The announcement by the Swiss team ended fears that Herbert, who won both the British and Italian grands prix last season and finished fourth in the world drivers' championship, might be forced to pursue his career in IndyCars.

Despite his victories, he laboured in the shadow of the world champion, Michael Schumacher, at Benetton and was discarded after the final race in Australia. Benetton never disguised the fact they gave priority treatment to Schumacher and Herbert, 31, is desperate to prove that his inconsistent qualifying performances with the Anglo-Italian team stemmed from that policy.

If he can out-perform Frentzen, who is regarded as one of the hottest young properties in the sport, any doubts about his ability to fulfil his potential will have to be cast aside.

"I am looking forward to working with Sauber," Herbert said. "The team proved in 1995 that it can be highly competitive and I will try my hardest to help them join the top ranks of grand prix racing."

The pity is that Blundell had to lose out. Both men are more deserving of a high-quality seat than the growing pack of drivers who pay to join teams in the middle and lower ends of the grid. Still, he impressed at his first outing in an IndyCar for the Pacwest team in Phoenix last Friday, so he may pursue a career across the Atlantic.

Blundell improved his reputation with his driving of the McLaren-Mercedes that defeated Nigel Mansell last season and there is still an outside chance that he might stand in for Mika Hakkinen, if the Finn does not recover from the injuries he sustained in Australia in time for the first race in Melbourne on March 10.

"Today's decision came as a hard hit," Blundell said. "Now it is time to make some decisions of my own. The IndyCar option is obviously under consideration but there are a couple of other things in Formula One still to be thought about."

Christie's plans hint
at Olympic defence

By JOHN GOODBODY

LINFORD CHRISTIE gave a hint yesterday that he may reconsider his decision not to defend his Olympic 100 metres title in Atlanta.

His agent, Sue Barrett, confirmed that he, Colin Jackson and John Regis would all be running in the AAA Championships in Birmingham, which will act as the Olympic trials, from June 14 to 16. However, as no athlete is paid for taking part in the event, there would seem little point in Christie competing unless he was considering going to the Games.

Barrett, however, played down the decision, insisting: "He competes quite a lot without getting paid, and next year will also be competing for his club (Thames Valley Harriers)."

Christie, Jackson and Regis had a series of rows with the British Athletic Federation (BAF) and I understand that the resultant public controversy was a factor in the decision by KP Foods, announced yesterday, not to extend their two-year, £2 million sponsorship of the sport.

The trio did not run in the grand prix meeting at Crystal Palace after failing to agree appearance money. In the AAA Championships Christie

failed to qualify for the final yet still took part as a guest in that race.

Jackson claimed he had pulled a muscle while running in the 100 metres and withdrew from the meeting but still ran in a sprint hurdles invitational event in Italy the following day.

Jackson has said that he will not compete in any British Athletic Federation invitational meeting as long as Peter Radford remains executive chairman. Barrett added yesterday that the only meetings in Britain in which Jackson would take part next year were the Welsh games on May 25 and the AAA Championships.

She revealed, however, that Christie and Regis might take part in the grand prix meeting at Crystal Palace on July 12, the last event before the team leaves for the United States to prepare for the Games.

Sally Hancock, a director of APA, which negotiates sponsorships between the sport and the participating companies, said: "My understanding is that an announcement will be made shortly about other sponsorship of those events" — confirmed by Hancock, who said he would be revealing details of a new deal in January.

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